

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DIGI PORTAL LLC,

Plaintiff,

v.

CAR.COM, LLC,

Defendant.

C.A. NO. _____

JURY TRIAL DEMANDED

PATENT CASE

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Digi Portal LLC files this Original Complaint for Patent Infringement against Cars.com, LLC, and would respectfully show the Court as follows:

I. THE PARTIES

1. Plaintiff Digi Portal LLC (“Digi Portal” or “Plaintiff”) is a Texas limited liability company with its principal place of business at 101 E. Park Blvd, Suite 600, Plano, Texas 75074.

2. On information and belief, Defendant Cars.com, LLC (“Defendant”) is a limited liability company organized and existing under the laws of Delaware, with a place of business at Cars.com, LLC. Defendant has a registered agent at Corporation Service Company, 251 Little Falls Dr., Wilmington, DE 19808.

II. JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction of such action under 28 U.S.C. §§ 1331 and 1338(a).

4. On information and belief, Defendant is subject to this Court’s specific and general personal jurisdiction, pursuant to due process and the Delaware Long-Arm Statute, due at least to its business in this forum, including at least a portion of the infringements alleged

herein. Furthermore, Defendant is subject to this Court's specific and general personal jurisdiction because Defendant is a Delaware limited liability company.

5. Without limitation, on information and belief, within this state, Defendant has used the patented inventions thereby committing, and continuing to commit, acts of patent infringement alleged herein. In addition, on information and belief, Defendant has derived revenues from its infringing acts occurring within Delaware. Further, on information and belief, Defendant is subject to the Court's general jurisdiction, including from regularly doing or soliciting business, engaging in other persistent courses of conduct, and deriving substantial revenue from goods and services provided to persons or entities in Delaware. Further, on information and belief, Defendant is subject to the Court's personal jurisdiction at least due to its sale of products and/or services within Delaware. Defendant has committed such purposeful acts and/or transactions in Delaware such that it reasonably should know and expect that it could be haled into this Court as a consequence of such activity.

6. Venue is proper in this district under 28 U.S.C. § 1400(b). On information and belief, Defendant was formed in Delaware. On information and belief, from and within this District Defendant has committed at least a portion of the infringements at issue in this case.

7. For these reasons, personal jurisdiction exists and venue is proper in this Court under 28 U.S.C. § 1400(b).

III. COUNT I
(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 8,352,854)

8. Plaintiff incorporates the above paragraphs herein by reference.

9. On January 8, 2013, United States Patent No. 8,352,854 ("the '854 Patent") was duly and legally issued by the United States Patent and Trademark Office. The '854 Patent is titled "Dynamic Page Generator." The '854 patent is not subject to a terminal disclaimer and its

term is extended under 35 U.S.C. 154(b) by 1270 days. (Ex. A). A true and correct copy of the ‘854 Patent is attached hereto as Exhibit A and incorporated herein by reference.

10. Digi Portal is the assignee of all right, title and interest in the ‘854 patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the ‘854 Patent. Accordingly, Digi Portal possesses the exclusive right and standing to prosecute the present action for infringement of the ‘854 Patent by Defendant.

11. The application leading to the ‘854 patent is a continuation of U.S. application Ser. No. 11/656,636, filed Jan. 22, 2007, which is a continuation of U.S. application Ser. No. 09/393,718, filed Sep. 10, 1999, which is a continuation of U.S. application Ser. No. 08/873,975, filed Jun. 12, 1997. (Ex. A at cover). The ‘854 patent was first assigned to Yahoo! Inc. (*Id.*).

12. The invention in the ‘854 Patent relates to the field of customized information presentation on the web; more specifically, providing customized pages that are quickly served and scalable to handle many users simultaneously. (*Id.* at col. 1:26-30).

13. Web servers for serving static web pages were well known in the global Internet. (*Id.* at col. 1:31-32). Such static web pages are useful in many applications whether the information presented to each requesting user is the same. (*Id.* at col. 1:32-34). However, some applications require customization to appeal to users. (*Id.* at col. 1:34-35). One example is presenting news to users. (*Id.* at col. 1:35-37). When static pages are used, a user will often have to scroll through many topics not of interest to that user to get to the information of interest. (*Id.* at col. 1:37-40). However, when presenting news to users, customized web pages present news that is more relevant to the requesting user than static pages because the information is filtered according to each user’s interest. (*Id.* at col. 1:35-37, 40-41).

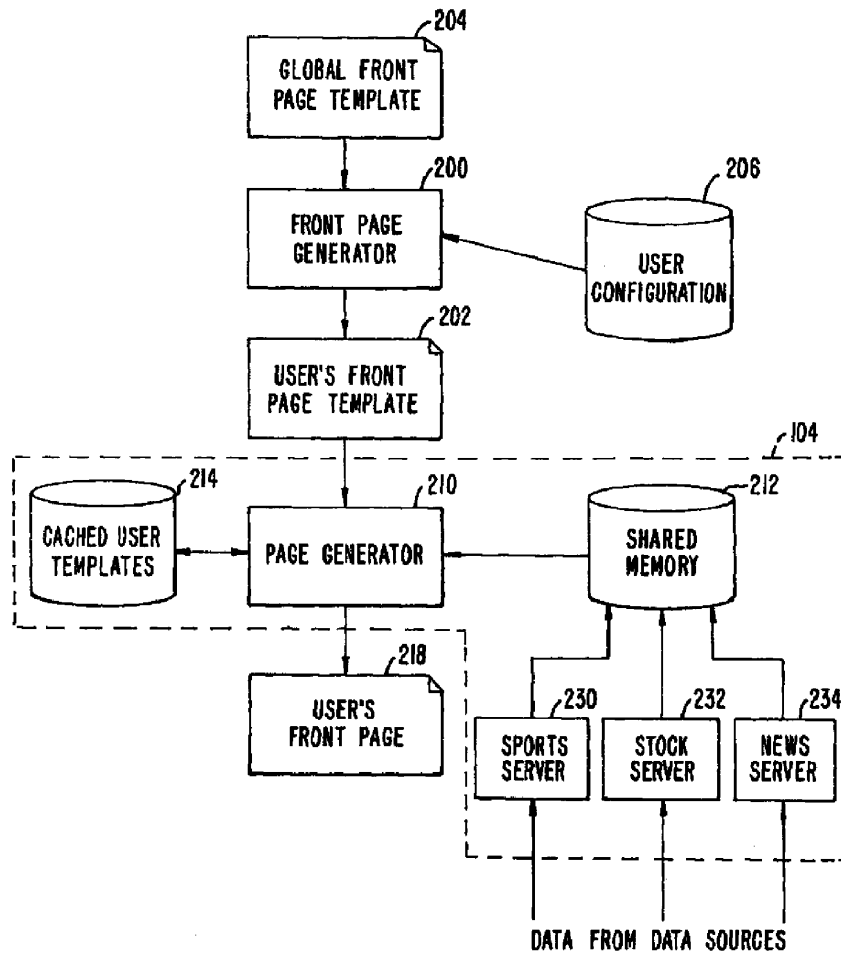
14. Customizing a server response based on the requester is known; however, known systems do not scale well. (*Id.* at col. 1:42-43). One method of serving custom pages is to execute a script, such as a Common Gateway Interface (CGI) script or other program to collect the information necessary to generate the custom page. (*Id.* at col. 1:43-47). For example, if the custom page is a news page containing stock quotes, sports scores and weather, the script might poll a quote server to obtain the quotes of interest, poll a sports score server to obtain the scores of interest and poll a weather server to obtain the weather. (*Id.* at col. 1:47-51). With this information, the server generates the custom page and returns it to the user. (*Id.* at col. 1:51-52). This approach is only useful where there are not many requesters and where the attendant delay associated with polling various servers to obtain the requested information is acceptable to users. (*Id.* at col. 1:53-54). Growing impatience with waiting will turn users away from such servers, especially as use increases. (*Id.* at col. 1:54-58).

15. One approach that was used in the prior art to avoid long waits is to transfer the custom information in non-real-time, so that the information is stored local to the user as it arrives and is presented to the user on request. (*Id.* at col. 1:59-62). A disadvantage of such a system is that the networks used by the user become clogged with data continually streaming to the user and require large amounts of local storage. (*Id.* at col. 1:62-65). Another disadvantage is that the locally stored information will become out of date as the server receives new data. (*Id.* at col. 1:65-67).

16. The inventors therefore recognized that there was a need to dynamically generate customized pages in an unconventional manner that solved the technical problems in the prior art of long transfer times to obtain the requested information or having to rely on continually

transferring custom information in non-real time which can clog the data network in addition to providing outdated information. (*Id.* at col. 1:42 to col. 2:2).

17. The following is a discussion of non-limiting examples of the claimed invention discussed in the specification of the '854 patent. The '854 patent provides a non-limiting exemplary diagram of the generation of a custom page for a user, using a front-page generator (200) and page server (104) (*Id.* at col. 3:58-60):



(Ex. A at Fig. 2). Front page generator (200) generates a user template (202) from a global front page template (204) and a user configuration record (206). (*Id.* at col. 3:58-62). A non-limiting example of a global front page template is provided in the '854 patent:

```

<html>
<head>
<title>My Yahoo! news summary for <!-- login --></title>
</head>
<body>

<center>
<!-- banner:sum -->

<!-- ad -->
<!-- nav bar --> ~ 302
</center>

<table border=1 cellpadding=4 cellspacing=0 width=100%>
<tr><td align=center valign=top width="1%">
<!-- leftside:nsum --> ~ 302
<p></td>
<td align=center valign=top width="100%">
<!-- mode bar:"FRONT PAGE" -->
<!-- channel:nsum --> ~ 302
</td></tr>
</table>

<center>
<table border=1 cellpadding=2 cellspacing=0 width=100%>
<!-- motd:motn.html -->
</table>
</center>
<!-- search -->

<!-- copyright:sum -->

</body>
</html>

```

204

(Ex. A at Fig. 3). The global user template (204) is an HTML (HyperText Markup Language) document with additional tags as placeholders for live data. (*Id.* at col. 5:16-19). Several placeholders (302) are shown in the code. (*Id.* at col. 5:19).

18. A user configuration record (206) is a record selected from user configuration database (116). (*Id.* at col. 3:63-64). User configuration information includes user demographic information, such as sex, age, location, stock quotes, favorite sports teams, news topics, etc. (*Id.* at col. 2:13-14, col. 5:45-50, col. 6:37-39, 46-48, 52-56). The user configuration information in the example may not change until the user changes his or her preferences. (*Id.* at col. 5:33-35).

19. The '854 patent provides an illustration of a user template (202) as might be generated from global user template (204) and a user configuration record (206):

202

```

<!-- timezone:-8,PT 0 -->
<!-- ad:M,85,95035,T,* 792 -->
404 { <!-- portfolio:Quotes,pf_1,1,^DJI,^NYA,^IXIC,^SPX,^XAX,YHOO,NSCP,IOM,NSCP,YHOO
2836 -->
<!--
scoreboard:NCAAFSSC,NHLSAN,MLSSAN,NCAAFSSS,ALOAK,NBAGSW,NFLOAK,NCAAFCCD,NFLSFO
,NLSFO 3803 -->
<!-- weather:f,30901,uk_londo,94601,95101 4368 -->
<!--
mode_bar:"FRONT_PAGE",.hier=News+Summary%3aEdit&.done=http://my.yahoo.com/news
/summary2:3,rt,rw,z0000,mlb,re,vf 4597 -->
<!-- motd:us_motn.html 4696 -->
<html>
<head>
<title>My Yahoo! news summary for ash802</title>
</head>
<body>

...

</body>
</html>

```

(Ex. A at Fig. 4). The user template is unique because it is built based on user demographic information provided by the user, as opposed to generically chosen dynamic information or based on information provided by the server. Exemplary demographic information is shown in line 2 of Fig. 4 (“:M,85,95035,T,*”) indicating that the user is a male, age 85, located in zip code 95035, etc. (*Id.* at col. 5:42-45). The ‘854 patent includes a full listing of the non-limiting exemplary user template of Fig. 4 in Appendix A. (Ex. A at col. 2:57-58; col. 5:22-23).

Listing of a User Template

```
<!-- timezone: -8,PT 0 -->
<!-- ad:M,85,95035,T,* 792 -->
<!--
portfolio:Quotes,pf_1,1,"DJL","NYA","IXIC","SPX","XAX,YHOO,NSCP,IOM,NSCP,YHOO
2836 -->
<!--
scoreboard:NCAAFSSC,NHLSAN,MLSSAN,NCAAFSSS,ALOAK,NBAGSW,NFLOAK,NCAAFCCD,NFL
LSFO,NLSFO 3803 -->
<!-- weather:f,30901,uk_londo,94601,95101 4368 - - >
<!--
mode_bar:"FRONT_PAGE1",hier=News+Summary%3aEdit&.done=http://my.yahoo.com/
news/summary.html?v 4538 -->
<!-- summary2:3,rt,rw,z0000,mlb,re,vf 4597 -->
<!-- motd:us__motn.html 4696 -->
<html>
<head>
<title>My Yahoo!news summary for ash802</title>
</head>
<body>

<center>
<map name="top"><area shape=rect coords="0,0,45,66"
href="/news/summary.html?v"><area shape=rect coords="45,0,90,66"
href="/internet/directory.html?v"><area shape=rect coords="90,0,135,66"
href="/contacts/white_pages.html?v"><area shape=rect coords="135,0,346,66"
href="/myHome"><area shape=rect coords="346,0,389,66"
href="/help/news/summary.html"><area shape=rect coords="389,0,431,66"
href="http://edit.my.yahoo.com/config/eval_profile"><area shape=rect
coords="431,0,477,66" href="http://edit.my.yahoo.com/config/tofill">
</map>
<center><a href="/bin/top_menu"></a></center>

<p>
<center><form action="http://search.my.yahoo.com/search/my"> <font
size="-2">[ <a
href="http://edit.my.yahoo.com/config/set_attr?attr=sloc&value=b&.done=http
p://my.yahoo.com/news/summary.html?v">move to bottom</a> ] </font><input
size=25 name=p> <font size="-1">&nbsp;<input type=submit
value=Search><input type=hidden name=n value="25"> &nbsp;<a
href="http://search.my.yahoo.com/search/my/options">Options</a></font> </fo
rm></center><p>
<center>
<table border=0 cellpadding=0 cellspacing=2>
<tr>
<td align=center><font
color="#000000"><b>Sections:</b>&nbsp;<b>&nbsp;</b></font></td>
<td align=center bgcolor="#dcdcdc"><font
color="#000000"><b>Front&nbsp;<b>Page</b></font></td>
<td>&nbsp;<b>&nbsp;</td>
<td align=center><a href="/news/business/summary.html?v">Business</a></td>
<td>&nbsp;<b>&nbsp;</td>
<td align=center><a
href="/news/portfolio_summary.html?v">Portfolios</a></td>
<td>&nbsp;<b>&nbsp;</td>
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<td>&nbsp;<b>&nbsp;</td>
<td align=center><a href="/news/sports/summary.html?v">Sports</a></td>
<td>&nbsp;<b>&nbsp;</td>
<td align=center><a
href="/news/technology/summary.html?v">Technology</a></td>
</tr>
</table>
</center>
</center>
<table border=1 cellpadding=4 cellspacing=0 width="100%">
<tr><td align=center valign=top width="1%">
<a
href="http://edit.my.yahoo.com/config/eval_left?mode=left_nsum&.done=http%
3a%2f%2fmy%2eyahoo%2ecom%2fnews%2fsummary%2html%3fv"></a>
<table border=0 cellpadding=1 cellspacing=0 width="100%">
<tr bgcolor="#dcdcdc"><td colspan=4 width="100%"><table border=0
cellpadding=2 cellspacing=0 width="100%"><tr><td width="100%"><b><font
size="+1">P<font size="+0">ORITOFOLIOS</font></font></b></td><td>
```


[illegible]

```

src="http://www.yahoo.com/images/my/logout.gif" alt="Change
User"></a></td>
</tr>
</table>
</center>
<map name=logout>
<area coords="0,0,50,68" href="/my/?http://www.yahoo.com/">
<area coords="51,0,100,68"
href="http://edit.my.yahoo.com/config/login?logout=1">
</map>

</body>
</html>

```

(Ex. B at Col. 7-11).

20. As shown in Fig. 2 of the '854 patent, the user template does not need to be generated each time and instead can be generated and stored. (Ex. A at col. 4:49-51, col. 5:23-32). One benefit of the claimed invention that speeds up the operation of the dynamic page generation is that the page can be stored in multiple locations that are based on the frequency by which the user requests the customized page based on the user template. (*Id.* at col. 5:37-38, col. 6:49-59). Some users might choose to access their user page infrequently, while others might choose to access their front page hourly. (*Id.* at col. 6: 52-54). For infrequent users, the user template is stored in a user configuration database, whereas for frequent users the user template may also be stored in cache. (*Id.* at col. 5:37-38, col. 6:51-59). Caching reduces the time to respond to a request for a page and is more effective where the typical user makes several requests in a short time span and then doesn't make any requests for a long period of time. (*Id.* at col. 5:29-32).

21. When the user template stored in cache, it may be stored long enough to be reused and may also be flushed from cache if the user page has been inactive for several days. (*Id.* at col. 6:49-52, 59-60). Even if it is flushed from cache, the user template can be maintained in the user configuration database, which can then be quickly accessed and stored in cache in the event a user may start to access the user page quickly. (*Id.*).

22. The custom user page can also include an advertisement that is selected based on the user demographic information. (*Id.* at col. 5:39-42). For example, using the demographic information “:M,85,95035,T,*”, an advertisement can be selected that is targeted for a male user, age 85, located in zip code 95035, etc. (*Id.* at col. 5:39-45).

23. Appendix B of the ‘854 patent is an HTML source code listing of an HTML page created from an executed user template that is used to generate a user customized browser web page. (Ex. B at col. 11 – col. 19).

24. As explained the ‘854 patent and prosecution history, there are unconventional and non-generic features of the claimed invention which are technical improvements that make the generation of dynamic web pages quicker, more efficient, and use less resources. By storing the user customized template program in two locations in which the location is determined by frequency, the system is more efficient and allows for a quicker response than the prior art. For example, by storing the user customized template in user configuration database and in cache, the dynamic generation of a user customized web page is more efficient and uses less resources of the server, database, and network, and allows for a quicker generation of the dynamic web page thereby allowing the server to scale in order to handle substantially more requests for user customized dynamic web pages. (*See* Ex. A at col. 1:42-67, col. 4:49-col. 5:15, col. 5:23-32). Furthermore, by caching the user template, the page can be generated entirely within a page server, thus conserving network and database resources. (*See id.* at col. 4:10-11, col. 5:23-32). By also storing the user customized template in a user configuration database, even if the cache is cleared, the template already exists in the database which then prevents having to regenerate a new user customized page from a global page template using a user configuration record thus saving database and server resources and more quickly generating the requested web page from

the user customized template. (*E.g.*, *id.* at col. 3:37-39, col. 4:1-11, 49-62). The storage of a user customized template program in at least two locations and the location determined from the frequency of the user request for the customized page was an unconventional and non-generic method for storing such templates and was not disclosed in the prior art. (Ex. C (Oct. 28, 2010 Resp. to Office Action) at 9).

25. Furthermore, the invention provides for more personalized web pages because the user provides user configuration information on which the user customized template is generated. (Ex. C (Oct. 28, 2010 Resp. to Office Action) at 9; Ex. D (Apr. 18, 2011 Resp. to Office Action) at 6). This was an unconventional way for generating a user customized template unique to the user that was not found in the prior art. (Ex. D (Apr. 18, 2011 Resp. to Office Action) at 6).

26. The patents related to the ‘854 patent and sharing the same specification were cited during the prosecution history of over 700 patents, including patents and applications owned by companies including Google, Inc., Microsoft Corporation, Amazon Technologies, Inc., Facebook, Inc., Ebay, Inc., Salesforce.com, Inc., IBM Corporation, Oracle International Corporation, Comcast Cable Communications, LLC, SAP AG, Citrix Systems, Inc., BEA Systems, Inc., Sprint Communications Company L.P., Siemens AG, AT&T Intellectual Property I, L.P., Hewlett-Packard Development Company, L.P., Fujitsu Limited, AOL LLC, General Electric Company, Accenture LLP, Adobe Systems Inc., Sony Computer Entertainment Inc., and Akamai Technologies, Inc. (See <http://patft.uspto.gov/netacgi/nph-Parser?Sect1=PTO2&Sect2=HITOFF&p=1&u=%2Fnetacgi%2Fsearch-bool.html&r=0&f=S&l=50&TERM1=5983227&FIELD1=UREF&co1=AND&TERM2=&FIELD2=&d=PTXT>).

27. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing at least claims 1-3, 8-10, and 15 of the '854 patent in Delaware, and elsewhere in the United States, by performing the claimed method, using the claimed computer-readable non-transitory medium storing computer instructions, and/or making and/or using the claimed system at Cars.com (“Accused Instrumentality”).

28. The Accused Instrumentality performs the step of receiving a user request for a customized page. For example, Cars.com receives a user request for a user customized page:

The image shows a login interface for Cars.com. At the top, there are two links: 'Log In' and 'Sign Up'. The 'Log In' link is highlighted with a purple underline. Below these links is a blue button with a white Facebook 'f' logo and the text 'With Facebook'. Underneath this button is a horizontal line with the word 'OR' in the center. Below the line is the heading 'Log In With Email'. This is followed by two input fields: one labeled 'Email' and another labeled 'Password'. Below the password field is a blue link that says 'Forgot your password?'. At the bottom of the form is a large purple button with the text 'Log In' in white.

(E.g., <https://www.cars.com/profile/secure/login/?continue=%2F>).

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60007

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Certification

Jennings Chevy / VW

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(https://www.cars.com/dealers/service/60007/?rd=30&dealerType=27980&sortBy=CERTIFIED_REPAIR&order=DSC&perPage=20 (for a particular user)).

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30 miles

60007

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☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

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Dealer Website

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2019 BMW 530i xDrive
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Int. Color: Black Drivetrain: AWD

Bill Jacobs BMW (855) 662-3008
★★★★★ 4.9 (623 reviews) 19 mi. from 60007

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(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&zc=60007 (for a particular user)).

```
t=o.merge([window.gigya.thisScript.globalConf,n]);e.run(t,n);window.gigya.thisScript&&window.gigya.thisScript.globalConf?
a():r.queueForExecution("API",a));e})();t.BaseApi=s,function(e,t,i){Object.defineProperty(t,"__esModule",{value:!0});var
n=i(3),o=i(27),r=i(6),a=i(12),s=i(1),c=[];function l(){if("undefined"!=typeof FB)
{window.gigya.providersConfig.facebook&&window.gigya.providersConfig.facebook.appID&&FB&&FB.getLoginStatus&&FB.getLoginStatus(function(e)
{t.initializedTime=new
Date,t.isConnected="connected"==e.status,t.isLoggedIn="unknown"!=e.status,o.dispatch({eventName:"FBRefreshed"}),!0)}}function u(){var e=
{};if("undefined"!=typeof FB&&FB.getAuthResponse)try{var t=FB.getAuthResponse();t&&(null!=t.userID&&(e.fb_UID=t.userID),null!=t.accessToken&&
(e.fb_at=t.accessToken),null!=t.expiresIn&&(e.fb_exp=t.expiresIn))}catch(e){return e}t.isLoggedIn=!1,t.isConnected=!1,t.isLoading=function(){return
null!=t.initializedTime},t.load=function(e){if(!t.initializedTime){t.initializedTime=null>window.setInterval(function()
{!(),27e5},window.fbAsyncInit=function(){var i=n.clone(window.gigya.thisScript.globalConf.facebookInitParams);i||i=
{}},window.gigya.providersConfig.facebook?

```

(https://cdns.gigya.com/js/socialize.js?apiKey=2_ms8RABTUb54IxnDMwsEJqFDUJX8YsGzo

[mm_AYiCb006grdeK9-7CjgKd4nU8Hspk](#) (for a particular user)).

```
{},t.autoLogin=function(){window.gigya.socialize.waitForService({service:"googlePlus",callback:function()
{window.gigya._.apiAdapter.isSessionValid(window.gigya.thisScript.globalConf,function(e)
{e|gapi.auth.authorize({client_id:window.gigya.providersConfig.googlePlus.clientId,scope:window.gigya.providersConfig.googlePlus.scopes,immediate:!
0,response_type:"token"},function(e){e&&e.access_token&&!window.gigya._.autoLoginInProgress&&
(window.gigya._.autoLoginInProgress=!0,window.gigya.socialize.notifyLogin({providerSessions:{googlePlus:
{authToken:e.access_token}}}})}))}},function(e,t,i){Object.defineProperty(t,"__esModule",{value:!0});var
n=i(101),o=i(97),r=i(103),a=i(18),s=i(6),c=i(5);t.defaultApiSchema="ctag|APIKey|cid|oauth_token|source|sourceData|usePost|refUID|fb_UID|fb_at|fb_exp
|environment|noAuth",t.defaultOAuthSchema="ctag|temporary_account|authFlow|connectWithoutLogin|provider|redirectMethod|redirect_uri|pendingRegistrat
ion|lang|regSource|extraPermissions|sessionExpiration|forceAuthentication|includeiRank|includeAllIdentities|extraFields|enabledProviders|disabledPro
viders|signIDs|openID|username|openIDURL|openIDProviderLogo|openIDProviderName|finalizeRegistration|includeActionAttributes|profileAttributes|google
PlayAppID|bp_channel_url|loginIfExists|includeUserInfo|redirectURL|authCodeOnly|enablePopupLocation|invite|regToken|loginMode|apiDomain|conflictHand
ling|forcePermissions|signKeys",t.postBookmarkSchema="provider|URL|url|title|description|target|cid|APIKey|shortURLs|source|sourceData|providerKey|t
humbnailURL|tags|userAction|[providerCapability=actions]UserAction|actionAttributes|facebookDialogType",t.loginMethods=
{"socialize.login":1,"socialize.addConnection":1,"socialize.notifyLogin":1,"socialize.linkAccounts":1,"accounts.login":1,"accounts.otp.login":1,"acc
ounts.socialLogin":1,"accounts.linkAccounts":1,"accounts.register":1,"accounts.finalizeRegistration":1};var l=function(e)

```

(https://cdns.gigya.com/js/socialize.js?apiKey=2_ms8RABTUb54IxnDMwsEJqFDUJX8YsGzo

[mm_AYiCb006grdeK9-7CjgKd4nU8Hspk](#) (for a particular user)).

```
[providerCapability=actions]UserAction|provider"),new n.ServerApi("socialize.getReactionsCount","barID|buttonIDs|reportLoad"),new
n.ServerApi("socialize.incrementReactionsCount","barID|buttonID|count|actionAttributes|profileAttributes"),new
n.ServerApi("socialize.deleteAccount",void 0,!0),new n.ServerApi("socialize.delUserSettings","group|settings",!0),new
n.ServerApi("socialize.getContacts","enabledProviders|disabledProviders",!0),new
n.ServerApi("socialize.getFriendsInfo","enabledProviders|disabledProviders|detailLevel|UIDs|siteUsersOnly|requiredCapabilities|signIDs",!0),new
n.ServerApi("socialize.getRawData","provider|UID|fields|dataFormat|path",!0),new
n.ServerApi("socialize.getSessionInfo","provider|paddingMode|encrypt|signIDs|encryptAll",!0),new
n.ServerApi("socialize.getUserInfo","enabledProviders|disabledProviders|signIDs|includeiRank|includeAllIdentities|extraFields|group|settings|include
OpenidUID",!0),new n.ServerApi("socialize.getUserSettings","group|settings|regToken",!0,void 0,{forceHttps:!0},"regToken"),new
n.ServerApi("socialize.checkin","enabledProviders|disabledProviders|placeID|comment|latitude|longitude|actionAttributes|profileAttributes",!0),new
n.ServerApi("socialize.logout","signIDs|samlContext|sustainLogoutURLs",!0,{preprocessor:d.disableCache:!0},{requiresSession:p}),new
n.ServerApi("socialize.notifyRegistration","siteUID|UIDTimestamp|UIDSig",!0),new n.ServerApi("socialize.publishUserAction","userAction|
[providerCapability=actions]UserAction|enabledProviders|disabledProviders|placeID|comment|latitude|longitude|actionAttributes|profileAttributes",!0),new
n.ServerApi("socialize.removeConnection","provider|lastIdentityHandling|removeLoginID",!0),new
n.ServerApi("socialize.setStatus","shortURLs|status|
[providerCapability=status]Status|enabledProviders|disabledProviders|userLocation|actionAttributes|profileAttributes",!0),new
n.ServerApi("socialize.setUID","siteUID|UIDTimestamp|UIDSig",!0),new n.ServerApi("socialize.setUserSettings","group|settings|regToken",!0,void 0,
{forceHttps:!0},"regToken"),new n.ServerApi("socialize.unlinkAccounts",void 0,!0),new
n.ServerApi("socialize.sendEmail","dontSendEmail|companyName|lang|emails|emailSubject|emailBody|linkBack|senderEmail|senderName|userMsg|shortURLs|us
erAction|[providerCapability=actions]UserAction|actionAttributes|profileAttributes|captchaTicket|lang",!1,void 0,{forceHttps:!0}),new
n.ServerApi("socialize.facebookGraphOperation","graphPath|graphParams|authRequired|method|authType"),new
n.ServerApi("socialize.getTopShares","age|tag|limit"),new n.ServerApi("socialize.notifySSOLogin","bp_channel_url"),new
n.ServerApi("gm.getChallengeStatus","UID|includeChallenges|excludeChallenges|details|lang|actionAttributes|profileAttributes"),new
n.ServerApi("gm.resetLevelStatus","challenges|actionAttributes|profileAttributes",!0),new
n.ServerApi("gm.getTopUsers","challenge|totalCount|friendsCount|includeSelf|period|lang|actionAttributes|profileAttributes"),new

```

(https://cdns.gigya.com/js/socialize.js?apiKey=2_ms8RABTUb54IxnDMwsEJqFDUJX8YsGzo

[mm_AYiCb006grdeK9-7CjgKd4nU8Hspk](#) (for a particular user)).

29. The Accused Instrumentality performs the step of receiving a template program (e.g., software instructions and data used for rendering a particular user's Cars.com page such as a JavaScript page) that is unique to the user and based on user configuration information (e.g.,

JavaScript pages will be specific to a user because the content can be modified by and/or customized for a user). The user configuration information is supplied by the user (*e.g.*, a user defines the information the user's template will display by inputting information such as the user's location; a user can customize the content of their templates and what will be rendered and displayed using the templates by entering information such as the user's location) and used to build the template program that is unique to the user (*e.g.*, user profile and user configuration information is used to modify templates, create instructions, and designate appropriate data retrieval for rendering the user's specific page).

30. For example, each user's respective pages demonstrates that the template program is varied so that each user can receive appropriately customized pages (*e.g.*, the code for each respective page is updated/adapted to pull from different resources so that the appropriate information/data can be referenced/displayed for each user). The screenshots below show two different templates belonging to two respective users based on user configuration information with the user configuration information (including user demographic information) being supplied by the user that is used to build the template program that is unique to the user:

Search within
30 miles

☒ Show cars available for home delivery (?)

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

Year
 Min to Max

Make
☒ BMW
☐ Acura

Get the latest listings by email

FEATURED
Motor Werks - Barrington Auto Mall
 ★★★★★ (4.9) 3129 reviews
 (847) 829-0027
[Dealer Website](#)

Currently in stock: **648 New** | **88 CPO** | **607 Used**

2020 BMW X3 M Competit... \$84,395
 2020 BMW M2 Competition \$64,590
 2019 BMW X7 xDrive40i \$81,995

SPECIAL OFFERS
Bill Jacobs BMW (630) 615-3125 [billjacobsbmw.com](#)

NEW
\$64,595 | MSRP \$64,595
2019 BMW 530i xDrive
 Ext. Color: Blue Transmission: Automatic
 Int. Color: Black Drivetrain: AWD

Bill Jacobs BMW (855) 662-3008
 ★★★★★ 4.9 (623 reviews)

(E.g., https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&zc=60007 (for a particular user)).

Filter Results 122 matches near you | [Save Search](#) Sort by: Relevance: Best Match

Location
 Search within
 20 miles

☒ Show cars available for home delivery (?)

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

Year
 Min Max

Get the latest listings by email

NEW
\$24,990 | MSRP \$28,725
2019 Mitsubishi Eclipse Cross SE
 Ext. Color: White Transmission: CVT
 Int. Color: Black Drivetrain: 4x4/4-wheel drive

Northstar Mitsubishi (877) 851-8445
 ★★★★★ 4.3 (297 reviews)

Feedback

(E.g., <https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mdId=36362434&mkId=20030&page=1&perPage=2>

[0&rd=20&searchSource=GN_REFINEMENT&sort=relevance&zc=10011](#) (for a particular user)).

31. As another example, a user can customize their Cars.com page by selecting saved cars, so that selected cars can be displayed. Below are screenshots pertaining to the selection process.

Vehicle saved!

View Saved/Compare Cars (3)


Add an email and Cars.com will send you any price drops/updates for your saved cars.

Create Alert


☐ Please do not show this message again.

[Cars.com Privacy Statement](#)


(https://www.cars.com/for-sale/searchresults.action/?zc=10011&rd=30&stkTypeId=28881&mkId=20030&mdId=36362434&searchSource=RESEARCH_SHOP_INDEX (for a particular user)).




0
Saved Research



3
Saved Cars




2
Saved Searches




0
Listings

Recommended For You


Our recommendations based on cars you've viewed




\$20,225 • 9,663 mi
2018 Mitsubishi Eclipse Cross



\$21,425 • 8 mi
2019 Mitsubishi Eclipse Cross



\$17,696 • 6,700 mi
2018 Mitsubishi Outlander



\$33,277 • 0 mi
2019 Toyota RAV4

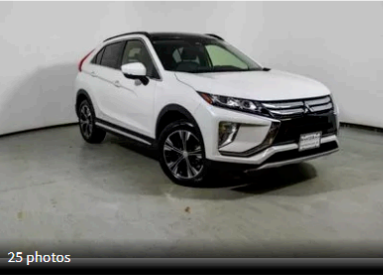
(<https://www.cars.com/profile/dashboard/> (for a particular user)). Shown below are screenshots of webpages customized according to the favorites of two respective users.

First User


My Saved Cars

Keep track of what catches your eye all in one place


Date Saved: Most Recent ▾



25 photos
Saved July 31, 2019
USED
2019 Mitsubishi Eclipse Cross
\$27,439 2,279 mi
[Free CARFAX 1-Owner Report](#)



39 photos 1 Video
Saved July 31, 2019
USED
2018 Mitsubishi Eclipse Cross
\$20,224 4,822 mi
[Free CARFAX 1-Owner Report](#)



49 photos 1 Video
Saved July 31, 2019
USED
2019 Mitsubishi Eclipse Cross LE
\$19,595 10,791 mi
[Free CARFAX Report](#)


(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

Second User

My Saved Cars

Keep track of what catches your eye all in one place

Remove X



32 photos 1 Video Cars.com (630)834-8000

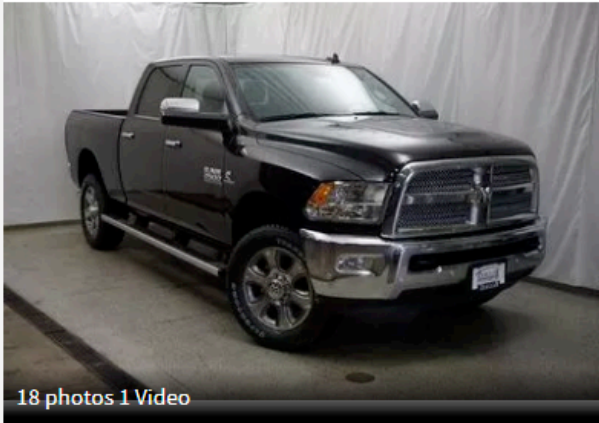
Saved July 31, 2019

NEW

2019 RAM 2500 Big Horn

\$59,390

Remove X



18 photos 1 Video

Saved July 31, 2019

NEW

2018 RAM 2500 Big Horn

\$50,581

(<https://www.cars.com/profile/saved-cars/> (for a particular user)). On information and belief, “saved cars” data is stored locally in cookies. The JavaScript file, which has a utility function, is retrieved from the CDN and handles storing and retrieval of the saved cars, and user data stored and retrieved from local storage or cookie locations.

32. The user configuration information supplied by the user to build the template program includes user demographic information (e.g., a user’s profile information and/or configuration information such as the user’s name, address, postal code and other information).

(E.g., <https://www.cars.com/about/privacy/>).

33. The template program is received from one of at least two locations (*e.g.*, the data and templates comprising a user's page may be retrieved from a main server/disk storage), the location determined from the frequency of the user request for the customized Cars.com page (*e.g.*, based on the frequency at which a user logs in or accesses their Cars.com page, the data comprising the users page may be stored at a main server). On information and belief, template information that is part of the template program is stored for less frequently accessed files in the main storage and for more frequently accessed files in local storage on the user's computer. On information and belief, running the template program (page generation code, tiles, containers, and user data) creates the customized webpage. On information and belief, when a user signs-up or performs a login, the code takes the user template information and stores it in a site Javascript object that is used in logic to display various available cars and other site logic-based conditions. On information and belief, the user information is stored in multiple locations, which can include, (1) at runtime, in a Javascript object with the data structure called ContextData; (2) within browser local storage; and (3) browser cookies.

```
parseFloat(o.slice(o.indexOf("android")+8)):0,isChrome:-!!=o.indexOf("chrome")&&-!!=o.indexOf("edge"),isGoogleBot:-!!=o.indexOf("googlebot"),isFF:-!!=o.indexOf("firefox"),isOpera:-!!=o.indexOf("opera"),isSafari:navigator.appVersion&&-!!=navigator.appVersion.toLowerCase().indexOf("safari")&&-!!=n.navigator.appVersion.toLowerCase().indexOf("chrome")&&-!!=o.indexOf("android"),isIOSWebView:(/[iPhone iPod iPad].*AppleWebKit(?:.*Safari)/i.test(navigator.userAgent),isIOSChrome:-!!=o.indexOf("crios"),isMAC:navigator.appVersion&&-!!=navigator.appVersion.toLowerCase().indexOf("mac"),isWindowsPhone:-!!=o.indexOf("windows phone"),isFacebookBrowser:-!!=o.indexOf("fbav")||-!!=o.indexOf("fbav"),supportsPostMessage:null!=window.postMessage&&(-!!=o.indexOf("msie")||-!!=o.indexOf("iemobile")),supportsLocalStorage:!1,supportsSessionStorage:!1,supportsFlash:function(){var e=!1;try{if(navigator.mimeTypes&&null!=navigator.mimeTypes["application/x-shockwave-flash"]&&navigator.mimeTypes["application/x-shockwave-flash"].enabledPlugin!=e);else new ActiveXObject("ShockwaveFlash.ShockwaveFlash")&&(e=!0)}catch(e){return e}}(),quirksMode:"BackCompat"==document.compatMode&&-!!=o.indexOf("msie"),backCompat:"BackCompat"==document.compatMode,isMobile:function(){var e=["iphone","ipod","android","mipd","x240x320","blackberry","netfront","nokias","panasonic","portalmmm","sharp","sie-","sonyericsson","symbian","windows ce","benq","mda","mot-","opera mini","philips","pocket pc","sagem","samsung","htc"];for(var t in e)if(-!!=o.indexOf(e[t]))return!0;return!1}(),isMobileApp:function(){if(!document.getElementsByTagName)return!1;for(var e=document.getElementsByTagName("meta"),t=0;t<e.length;t++){if("viewport"==e[t].getAttribute("name")){var i=e[t].getAttribute("content");if(i&&-!!=i.indexOf("width=device-width"))return!0}return!1}(),isNativeMobileApp:!1,isTouch:function(){if("ontouchstart"in window)return!0;if("onmsgesturechange"in window){try{return new ActiveXObject("htmlfile"),!1}catch(e){return!0}return!1},messageHandler:0};var r=function(e){try{var t=window[e];if(!t)return!1;var i="gig_global_storage_t,n";just checking for localStorage";t.setItem(i,n);var o=t.getItem(i)==n;return t.removeItem(i),o}catch(e){return!1}};t.localInfo.supportsLocalStorage=r("localStorage");t.localInfo.supportsSessionStorage=r("sessionStorage");t.localInfo.isIE11&&!window.in dexedDB&&(t.localInfo.supportsPostMessage=!1),t.localInfo.isMAC?t.localInfo.isMAC&&!t.localInfo.isIOS;var a=t.localInfo.isWin?"windows":t.localInfo.isWindowsPhone?"winphone":t.localInfo.isIOS?"ios-v":"t.localInfo.isOSVersion:t.localInfo.isMAC?"mac":t.localInfo.isAndroid?"android":"","a&&(a+= " ");var s,c,t.localInfo.isChrome?"chrome":t.localInfo.isFF?"firefox":t.localInfo.isSafari?"safari":t.localInfo.isEdge?"edge":t.localInfo.isIE11?"ie11":t.localInfo.isIE10?"ie10":t.localInfo.isIE9?"ie9":t.localInfo.isIE8?"ie8":"";t.localInfo.currentBrowser=a+c,window.giga.partnerSettings&&window.giga.pa rtnerSettings.baseDomains>s.window.giga.partnerSettings.baseDomains.split(","),(window.self===window.top&&console.log("giga: missing base domains for site"),s=[document.location.hostname],t.localInfo.baseDomain=n.getBaseDomain(s)),function(e,t,i){Object.defineProperty(t,"_esModule",{value:!0});var n=i(4);function o(e,t){if(!t)return e;for(var n=e,o=t.split(""),r=0;r<o.length;r++){var a=o[r],s=null,a.match(/^[0-9]/)&&(s=Number(a.match(/^[0-9]/)[0]).replace(/[^\d]/g,"")),a=a.split(/^[0-9]/).join("");var c=s[0]==s&&n[a][n[a][s]:n[a];if(i&&!n[a][n[a]:i]&&i&&i+1==c&&n[a][n[a]:i]&&i&&i+1==c)return null;n[c]=n[n]return n}function r(e,t,i,n){if(void 0===n&&n=(n=20),void 0===o&&(o=0),o)n)return null;if(void 0===e[null]==e)return null;if("function"!==typeof e&&i)return null;if(e.constructor===Array){for var s
```


(https://cdns.gigya.com/js/socialize.js?apiKey=2_ms8RABTUb54IxnDMwsEJqFDUJX8YsGzo_mm_AYiCb006grdeK9-7CjgKd4nU8Hspk (for a particular user)).

```
{return i(e)>Date.now(),t.getMax=function(){for(var e=[],t=0;t<arguments.length;t++)e[t]=arguments[t];if(e&&e.length)return e.sort(function(e,t){return i(t)-i(e)})[0]},t.getMillis=i},function(e,t,i){Object.defineProperty(t,"__esModule",{value:!0});var n,o=i(4),r=i(23);try(n=Boolean(window.sessionStorage))catch(e){n=!1}function a(e,t){if(n){var i;try{i=o.deserialize(window.sessionStorage.getItem("gigyaCache")),null==t&&i[e]?delete i[e]:i[e]={response:t,time:(new Date).getTime()},window.sessionStorage.setItem("gigyaCache",o.serialize(i))}catch(e){}r.release("cache","cache_"+e)}}function s(e){a(e,null)}t.set=a,t.get=function e(t,i,a){if(n)try{if(!r.isActive("cache_"+t)){var c=window.sessionStorage.getItem("gigyaCache"),l=o.deserialize(c)[t];if(l){if(i&&i+1.time>(new Date).getTime())return void a(l.response);s(t),l=null}if(!l)return r.hold("cache","cache_"+t),void a(null)}if(r.isActive("cache_"+t))return void r.waitFor("cache_"+t,e,arguments)}catch(e){a(null)}else function"==typeof a&&a(null)},t.remove=s},,,,,,,,,,,,,,,,,,,,,function(e,t){Object.defineProperty(t,"__esModule",{value:!0}),t.fill=function e(t,i){("function"==typeof t&&(t=t(i)),t instanceof Array&&(t=t.join("")));var n=/(\$(?!)([a-z_\d]*)\([^\)]*\)|(\$(?!)\{([a-z_\d]*)\}))/g;for(var o,r=t,n.lastIndex=0;for(var o,r=t,a=n.exec(r);null!=a;){var s="!"==a[2]?"$":a[1]?0:4],c=a[3+o],l=a[4+o];null==l&&(l=""),"."=c.substring(0,1)&&(c=c.substring(1)),DBG="c.substring(0,3)&&(c=c.substring(3));for(var u=" ",g=c+1;g!u;){u=g;var d=n.lastIndex;g=u,i,n.lastIndex=d}var p="",f=0;if(null!=i[c.split(".").join("")]try{p=new Function("o","p","return eval(\"o.\" + p)\")(i,g)}catch(e){else p="$"+(s?"!":"")+g,f=1;r=s?r.replace(a[0],""):r.substr(0,a.index)+p+r.substr(a.index+a[0].length,n.lastIndex=a.index+f,a=n.exec(r))return r}},function(e,t,i){Object.defineProperty(t,"__esModule",{value:!0});var n=i(11),o=i(5);t._aliases={};var r=function(){function e(e,i,n,o,r,a,s){if(this.ID=e,this.displayName=i,this.width=n,this.height=o,this.explicitOnly=a,this.aliases=s,this.arDefaultCapabilities=r.split(","),this.name=i.toLowerCase().split(" ").join("").split("!").join("").split(".").join("").split("+").join("plus"),s){t._aliases||(t._aliases={});for(var
```

(https://cdns.gigya.com/js/socialize.js?apiKey=2_ms8RABTUb54IxnDMwsEJqFDUJX8YsGzo_mm_AYiCb006grdeK9-7CjgKd4nU8Hspk (for a particular user)).

34. The Accused Instrumentality performs the step of receiving an advertisement selected in accordance to the user demographic information (e.g., Cars.com provides advertisements to a user based on demographic information such as age, gender, language, interest, activity, postal code, etc.). (E.g., <https://www.cars.com/about/privacy/>; <https://www.cars.com/about/ad-choices/>). For example, the Accused Instrumentality has targeted advertising to users based on a user's geography and interest. (*Id.*).

35. The Accused Instrumentality performs the step of executing the template program (e.g., JavaScript templates) using the selected advertisement (e.g., an advertisement selected based on a user's demographic information) to generate the customized page (e.g., a user's Cars.com page, with the advertisement integrated). (E.g., <https://www.cars.com/dealers/service/60007/> (for a particular user), <https://www.cars.com/dealers/service/10011/> (for a particular user)).

36. The Accused Instrumentality performs the step of providing the customized page to the user (e.g., a user's Cars.com page with integrated advertisements). (*Id.*).

37. Plaintiff has been damaged as a result of Defendant's infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant's infringement of the '854 patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

38. On information and belief, Defendant has had at least constructive notice of the '854 patent by operation of law, and there are no marking requirements that have not been complied with.

IV. COUNT II
(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 5,983,227)

39. Plaintiff incorporates the above paragraphs herein by reference.

40. On November 9, 1999, United States Patent No. 5,983,227 ("the '227 Patent") was duly and legally issued by the United States Patent and Trademark Office. The '227 Patent is titled "Dynamic Page Generator." A true and correct copy of the '227 Patent is attached hereto as Exhibit B and incorporated herein by reference.

41. Digi Portal is the assignee of all right, title and interest in the '227 patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the '227 Patent. Accordingly, Digi Portal possesses the exclusive right and standing to prosecute the present action for infringement of the '227 Patent by Defendant.

42. The application leading to the '227 patent was filed June 12, 1997. (Ex. B at cover). The '227 patent was first assigned to Yahoo! Inc. (*Id.*).

43. The invention in the '227 Patent relates to the field of customized information presentation on the web; more specifically, providing customized pages that are quickly served and scalable to handle many users simultaneously. (*Id.* at col. 1:14-18).

44. The '227 Patent shares the identical specification as the '854 patent and therefore Digi Portal incorporates the background and discussion of the invention in Paragraphs 13-25. Furthermore, as show in the prosecution history of the '227 Patent, it was unconventional to download real-time information into a server and use a template for the static data as opposed to linking directly to real-time information. (Ex. E at 5, Ex. F at 2).

45. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing at least claim 2 of the '227 patent in Delaware, and elsewhere in the United States, by performing actions comprising using or performing the claimed method of providing real-time responses to user requests for customized pages, including without limitation through the method implemented of providing a user's Cars.com page ("Accused Instrumentality"). (*E.g.*, https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&zc=60007).

46. The Accused Instrumentality performs the step of obtaining user preferences (e.g., location, make and model, price, etc.), wherein a user's user preferences indicate items of interest to that user. For example, users can customize their location on their Cars.com page to locate current car deals near their location:

Search within

30 miles

60007

☒ Show cars available for home delivery

New/Used

☒ All
 ☐ New
 ☐ Used

☐ Certified Pre-Owned

Year

Min

1979

to

Max

2020

Make

☒ BMW
 ☐ Acura

FILTER RESULTS

Zip Code

10011

Year

1966 to 2021

Price

\$0 - \$120,000

MPG

1+ MPG

Availability

☒ New
 ☐ Available Used

Makes

(clear)

Get the latest listings by email

b7740256@urhen.com

Sign Up

FEATURED

Motor Werks - Barrington Auto Mall
 ★★★★★ (4.9) 3129 reviews
 (847) 829-0027
[Dealer Website](#)

Currently in stock: **648 New** | **88 CPO** | **607 Used**

2020 BMW X3 M Competit...
 \$84,395

2020 BMW M2 Competition
 \$64,590

2019 BMW X7 xDrive40i
 \$81,995

SPECIAL OFFERS

Bill Jacobs BMW
 (630) 615-3125 billjacobsbmw.com

NEW

\$64,595 | MSRP \$64,595
2019 BMW 530i xDrive
 Ext. Color: Blue Transmission: Automatic
 Int. Color: Black Drivetrain: AWD

Bill Jacobs BMW (855) 662-3008
 ★★★★★ 4.9 (623 reviews) **19 mi. from 60007**

Check Availability

341 MATCHING MODELS WITHIN 75 MILES OF YOU:

(MOST INVENTORY FIRST)

1966 - 2021

New Cars

View All Nearby Matching Listings

Nissan Rogue

View New Inventory

View 8,189 Nearby Used Listings

Listing Prices

\$18,172 - \$37,895

MSRP

\$25,020 - \$32,840

MPG

28.1 - 29.1

Years

2019

Transmissions

Automatic

Seats

5

Body Styles

Crossover

Fuel Types


Gasoline


Drivetrains


AWD, FWD


(Id. (for a particular user)). A user's Cars.com page is customized by the location information provided by the user:


25


 Location
60007

 Make


 Certification

 Dealer Rating



 Dealer Name

 Service Centers


Jennings Chevy / VW
 ★★★★★ 118 reviews
 241 Waukegan Rd , Glenview, IL 60025 10 miles away
"Our Reputation Rides with You"

 Schedule an Appointment



Call 888-238-0819

Marino Chrysler Jeep Dodge RAM
 ★★★★★ 95 reviews
 5133 W Irving Park Road , Chicago, IL 60641 12 miles away
"Family owned and operated!"

 Schedule an Appointment

Call 773-355-4381

(https://www.cars.com/dealers/service/60007/?rd=30&dealerType=27980&sortBy=CERTIFIED_REPAIR&order=DSC&perPage=20 (for a particular user)).

47. The following screenshots are pages for two different users that have varying cars deals displayed based upon the users' respective locations:

First User:

Search within
30 miles 60007

☒ Show cars available for home delivery ?

New/Used

☒ All ☐ New ☐ Used

☐ Certified Pre-Owned

Year

Min: 1979 to Max: 2020

Make


☒ BMW

☐ Acura


Get the latest listings by email


Sign Up


FEATURED



Motor Werks - Barrington Auto Mall
 ★★★★★ (4.9) 3129 reviews
 (847) 829-0027
[Dealer Website](#)



 2020 BMW X3 M Competit...
 \$84,395


 2020 BMW M2 Competition
 \$84,590


 2019 BMW X7 xDrive40i
 \$81,995

SPECIAL OFFERS

Bill Jacobs BMW (630) 615-3125 [billjacobsbmw.com](#)



NEW
\$64,595 | MSRP \$64,595
2019 BMW 530i xDrive
 Ext. Color: Blue Transmission: Automatic
 Int. Color: Black Drivetrain: AWD

Bill Jacobs BMW (855) 662-3008
 ★★★★★ 4.9 (623 reviews) 19 mi. from 60007

Check Availability

26

(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&zc=60007 (for a particular user)).

Second User:

Filter Results | New Search | 122 matches near you | [Save Search](#) | Sort by: Relevance: Best Match

Location
Search within
20 miles | 10011

☒ Show cars available for home delivery ?

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

Year
Min Max

Get the latest listings by email | | [Sign Up](#)

2019 Mitsubishi Eclipse Cross SE
NEW \$24,990 | MSRP \$28,725
Ext. Color: White | Transmission: CVT
Int. Color: Black | Drivetrain: 4x4/4-wheel drive

Northstar Mitsubishi (877) 851-8445
★★★★☆ 4.3 (297 reviews) | 4 mi. from 10011

[Check Availability](#)

(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mdId=36362434&mkId=20030&page=1&perPage=20&rd=20&searchSource=GN_REFINEMENT&sort=relevance&zc=10011 (for a particular user)).

48. Additionally, a user can also customize their Cars.com page selecting their saved cars, so that selected cars can be displayed. The following are screenshots pertaining to the selection process:

Vehicle saved!

View Saved/Compare Cars (3)

Add an email and Cars.com will send you any price drops/updates for your saved cars.

Create Alert

☐ Please do not show this message again.

[Cars.com Privacy Statement](#)

(https://www.cars.com/sale/searchresults.action/?zc=10011&rd=30&stkTypId=28881&mkId=20030&mdId=36362434&searchSource=RESEARCH_SHOP_INDEX (for a particular user)).

0

Saved Research

3

Saved Cars

2

Saved Searches

0

Listings

Recommended For You

Our recommendations based on cars you've viewed



Never any hidden fees!
\$20,225 • 9,663 mi
2018 Mitsubishi Eclipse Cross



Never any hidden fees!
\$21,425 • 8 mi
2019 Mitsubishi Eclipse Cross



TEXT "ELPATRON" TO 55678
FOR SPECIAL OFFERS ON THIS VEHICLE
\$17,696 • 6,700 mi
2018 Mitsubishi Outlander



TOYOTA
\$33,277 • 0 mi
2019 Toyota RAV4
FREE CREDIT CHECK
www.toyotaofthetruckee.com

(<https://www.cars.com/profile/dashboard/> (for a particular user)).


49. The following screenshots are webpages customized according to the saved cars of two respective users:

First User:

My Saved Cars

Keep track of what catches your eye all in one place

Date Saved: Most Recent



25 photos


Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross

\$27,439 2,279 mi

[Free CARFAX 1-Owner Report](#)



39 photos 1 Video


Saved July 31, 2019

USED

2018 Mitsubishi Eclipse Cross

\$20,224 4,822 mi

[Free CARFAX 1-Owner Report](#)



49 photos 1 Video

Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross LE

\$19,595 10,791 mi

[Free CARFAX Report](#)


(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

Second User:

My Saved Cars

Keep track of what catches your eye all in one place

Remove X




Saved July 31, 2019

NEW

2019 RAM 2500 Big Horn

\$59,390

Remove X



Saved July 31, 2019

NEW

2018 RAM 2500 Big Horn

\$50,581

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

50. On information and belief, the Accused Instrumentality performs obtaining real-time information (*e.g.*, current car listings, saved cars/searches, and advertisements) from information sources (*e.g.*, Cars.com's servers/databases which store real-time car listings and saved cars/searches and the Google server which store advertisements) and storing the real-time information in a storage device (*e.g.*, the car listings, saved cars/searches, and advertisements will be pulled from a storage server and sent to Cars.com's web/API server so that the information can be used as input in a template program to generate a customized page that is provided to a user).

51. On information and belief, the Accused Instrumentality performs the step of combining the user preferences for the user (*e.g.*, user location, saved cars) and a template (*e.g.*, generic template) to form a template program specific to the user. On information and belief, the Accused Instrumentality forms a template program (*e.g.*, software instructions and data used for rendering a particular user's Cars.com page such as a JavaScript page) that is unique to the user (*e.g.*, JavaScript pages will be specific to a user because the content can be modified by and/or customized for a user) and based on user preferences (*e.g.*, a user can customize the content of their templates and what will be rendered and displayed using the templates by entering information such as their location). On information and belief, the Accused Instrumentality uses preference information for the user and a global template that is generic to a plurality of users to form a customized template program unique to a user. Running the template program (page generation code, tiles, containers, and user data) creates the customized webpage.

52. On information and belief, the Accused Instrumentality performs the step of receiving, from a user and at the server, a user request for a customized page (*e.g.*, when a user logs in to Cars.com, car searches will be limited to a user's location, saved cars displayed will be limited to those the user has previously selected, and advertisements will be targeted towards a user's interest) customized according to the user preferences. The following screenshots are examples of the request for a customized page that is customized according to the user preferences:

Search within
30 miles

☒ Show cars available for home delivery (?)

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

Year
Min 1979 to Max 2020

Make
☒ BMW
☐ Acura

Get the latest listings by email

FEATURED
Motor Werks - Barrington Auto Mall
★★★★★ (4.9) 3129 reviews
(847) 829-0027
[Dealer Website](#)

Currently in stock: 648 New | 88 CPO | 607 Used

2020 BMW X3 M Competit... \$84,395
2020 BMW M2 Competition \$64,590
2019 BMW X7 xDrive40i \$81,995

SPECIAL OFFERS
Bill Jacobs BMW (630) 615-3125 [billjacobsbmw.com](#)

NEW
\$64,595 | MSRP \$64,595
2019 BMW 530i xDrive
Ext. Color: Blue Transmission: Automatic
Int. Color: Black Drivetrain: AWD

Bill Jacobs BMW (855) 662-3008
★★★★★ 4.9 (623 reviews)

(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&zc=60007 (for a particular user)).

Filter Results

Location
Search within
20 miles

☒ Show cars available for home delivery (?)

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

Year
Min Max

122 matches near you | [Save Search](#) Sort by: Relevance: Best Match

Get the latest listings by email

NEW
\$24,990 | MSRP \$28,725
2019 Mitsubishi Eclipse Cross SE
Ext. Color: White Transmission: CVT
Int. Color: Black Drivetrain: 4x4/4-wheel drive

Northstar Mitsubishi (877) 851-8445
★★★★★ 4.3 (297 reviews)

(<https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mdId=36362434&mkId=20030&page=1&perPage=2>


[0&rd=20&searchSource=GN_REFINEMENT&sort=relevance&zc=10011](#) (for a particular user)).

My Saved Cars

Keep track of what catches your eye all in one place

Date Saved: Most Recent

Remove



25 photos

Saved July 31, 2019


USED

2019 Mitsubishi Eclipse Cross

\$27,439 2,279 mi

[Free CARFAX 1-Owner Report](#)

Remove



39 photos 1 Video

Saved July 31, 2019


USED

2018 Mitsubishi Eclipse Cross

\$20,224 4,822 mi

[Free CARFAX 1-Owner Report](#)

Remove



49 photos 1 Video

Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross LE

\$19,595 10,791 mi


[Free CARFAX Report](#)

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

My Saved Cars

Keep track of what catches your eye all in one place

Remove X



32 photos 1 Video Cars.com (630)834-8000


Saved July 31, 2019

NEW

2019 RAM 2500 Big Horn

\$59,390

Remove X



18 photos 1 Video

Saved July 31, 2019

NEW

2018 RAM 2500 Big Horn

\$50,581

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

53. The Accused Instrumentality performs the step of executing the template program specific to the user (*e.g.*, page generation code, tiles, containers, and user data) using the real-time information stored in the storage device (*e.g.*, car listings, saved cars, and advertisements, stored in a storage database/server) as input to the template program to generate the customized page (*e.g.*, the car listings, saved cars, and advertisements will be inputted into a template program so that the appropriate web page will be generated and displayed to the user). The following sets of screen screenshots are examples of customizing a user's Cars.com page from two different users that have varying current car deals displayed based upon the users' respective locations (*i.e.*, real-time information selected for the user's customized web page based on the customization information unique to the user) or that have saved cars/searches.

First User:

Search within
30 miles


☒ Show cars available for home delivery ?

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned


Year
 Min to Max

Make
☒ BMW
☐ Acura

Get the latest listings by email

FEATURED
 **Motor Werks - Barrington Auto Mall**
 ★★★★★ (4.9) 3129 reviews
 (847) 829-0027
[Dealer Website](#)
 Currently in stock: [648 New](#) | [88 CPO](#) | [607 Used](#)

2020 BMW X3 M Competit... \$84,395
 2020 BMW M2 Competition \$64,590
 2019 BMW X7 xDrive40i \$81,995

SPECIAL OFFERS
Bill Jacobs BMW (630) 615-3125 billjacobsbmw.com


NEW
\$64,595 | MSRP \$64,595
2019 BMW 530i xDrive
 Ext. Color: Blue Transmission: Automatic
 Int. Color: Black Drivetrain: AWD
Bill Jacobs BMW (855) 662-3008
 ★★★★★ 4.9 (623 reviews)

(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&zc=60007 (for a particular user)).

Second User:

Filter Results

122 matches near you | [Save Search](#) Sort by: Relevance: Best Match


Location
 Search within
 20 miles

☒ Show cars available for home delivery ?

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

Year
 Min Max

Get the latest listings by email



NEW
\$24,990 | MSRP \$28,725
2019 Mitsubishi Eclipse Cross SE
 Ext. Color: White Transmission: CVT
 Int. Color: Black Drivetrain: 4x4/4-wheel drive
Northstar Mitsubishi (877) 851-8445
 ★★★★★ 4.3 (297 reviews)

Feedback

(https://www.cars.com/sale/searchresults.action/?dealerType=all&mdId=36362434&mkId=20030&page=1&perPage=20&rd=20&searchSource=GN_REFINEMENT&sort=relevance&zc=10011 (for a particular user)).


First User:

My Saved Cars

Keep track of what catches your eye all in one place

Date Saved: Most Recent

Remove



25 photos

Saved July 31, 2019


USED

2019 Mitsubishi Eclipse Cross

\$27,439 2,279 mi

Free CARFAX 1-Owner Report

Remove



39 photos 1 Video

Saved July 31, 2019


USED

2018 Mitsubishi Eclipse Cross

\$20,224 4,822 mi

Free CARFAX 1-Owner Report

Remove



49 photos 1 Video

Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross LE

\$19,595 10,791 mi

Free CARFAX Report


(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

Second User:

My Saved Cars

Keep track of what catches your eye all in one place

Remove X




Saved July 31, 2019

NEW

2019 RAM 2500 Big Horn

\$59,390

Remove X



Saved July 31, 2019

NEW

2018 RAM 2500 Big Horn

\$50,581

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

54. The Accused Instrumentality performs the step of providing the customized page to the user (e.g., a user's Cars.com page, search results, etc., with integrated advertisements) wherein the steps of executing and providing are performed in real-time response to receipt of the user request in the step of receiving (e.g., user login request, search initiation, etc.) and wherein the customized page includes at least one item of real-time information (e.g., current car listings, saved cars, or current advertisements) selected from the storage device (e.g., pulled from storage servers/databases and sent to an API/webserver for processing/display). (E.g., screenshots in paragraph 53).

55. Plaintiff has been damaged as a result of Defendant's infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant's infringement of the '227 patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

56. On information and belief, Defendant has had at least constructive notice of the '227 patent by operation of law, and there are no marking requirements that have not been complied with.

V. COUNT III
(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 7,171,414)

57. Plaintiff incorporates the above paragraphs herein by reference.

58. On January 30, 2007, United States Patent No. 7,171,414 ("the '414 Patent") was duly and legally issued by the United States Patent and Trademark Office. The '414 Patent is titled "Dynamic Page Generator." A true and correct copy of the '414 Patent is attached hereto as Exhibit G and incorporated herein by reference.

59. Digi Portal is the assignee of all right, title and interest in the '414 patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the '414 Patent. Accordingly, Digi Portal possesses the exclusive right and standing to prosecute the present action for infringement of the '414 Patent by Defendant.

60. The application leading to the '414 patent was filed September 10, 1999, which was a continuation of application no. 08/873,975, which issued as the '227 patent. (Ex. G at cover). The '414 patent was first assigned to Yahoo! Inc. (*Id.*).

61. The invention in the ‘414 Patent relates to the field of customized information presentation on the web; more specifically, providing customized pages that are quickly served and scalable to handle many users simultaneously. (*Id.* at col. 1:29-33).

62. The ‘414 Patent shares the identical specification as the ‘854 patent and therefore Digi Portal incorporates the background and discussion of the invention in Paragraphs 13-25. Furthermore, the prosecution history of the ‘414 patent highlights advantages and unconventional features of the claimed invention including the “storing real-time information in a shared local storage device.” An example of this limitation is when live data used to fill templates is stored local to the page server which is handling user requests for custom web pages. (Ex. I at 8; Ex. G at col. 2:11-15). Every piece of information that a person can request on a page is storable in a shared memory closely coupled to a page generator. (Ex. I at 9; Ex. G at col. 4:43-58). Unlike the prior art CGI process that required time consuming calls to other servers, storing real-time information in a shared local storage device, allows for any custom page to be built within the page server thereby eliminating the need to make requests from other servers for portions of the live data. (Ex. I at 9; Ex. G at col. 2:25-31).

63. Furthermore, as show in the prosecution history of the ‘414 Patent, it was unconventional to receive the template program from one of at least two location, the frequency of the user request for the customized page determines the retrieval location of the template program. (Ex. H at 9-10). In the prior art, the published web site was stored on a server and provided from one server location regardless of the frequency of the user requests for the web site. (*Id.*). The examiner agreed that the claim was allowable because the prior art did not disclose that in a page server coupled to a network a method of providing a customized page to a user, the customized page is customized according to the user’s preferences, and the template is

received from one of at least two locations, the location determined from frequency of the user request for the customized page. (Ex. J at 3).

64. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing at least claims 1 and 3 of the '414 patent in Delaware, and elsewhere in the United States, by performing actions comprising using or performing the claimed method using the Cars.com website ("Accused Instrumentality"). The Accused Instrumentality uses a page server (*e.g.*, the Cars.com server), to provide a customized page (*e.g.*, user-specific web page, search results, etc.) to a user, wherein the customized page is customized according to the user's preferences (*e.g.*, user location, user interests, etc.).

65. On information and belief, the Accused Instrumentality performs the step of obtaining real-time information (*e.g.*, current car listings, saved cars/searches, and advertisements) from information sources (*e.g.*, storage servers/databases that store car listings, saved cars/searches, and advertisements) and stores them in a shared local storage device (*e.g.*, the data will be pulled from storage servers/databases and stored, at least temporarily, at a local web/API server, for processing and subsequent display to a user).

66. For example, users can customize their location on their Cars.com page to find real-time cars deals near their location:

Search within
30 miles


☒ Show cars available for home delivery (?)

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

Year
 Min to Max

Make
☒ BMW
☐ Acura

Get the latest listings by email

FEATURED
 **Motor Werks - Barrington Auto Mall**
 ★★★★★ (4.9) 3129 reviews
 (847) 829-0027
[Dealer Website](#)

Currently in stock: **648 New** | **88 CPO** | **607 Used**

2020 BMW X3 M Competit... \$84,395
 2020 BMW M2 Competition \$64,590
 2019 BMW X7 xDrive40i \$81,995

SPECIAL OFFERS
Bill Jacobs BMW (630) 615-3125 billjacobsbmw.com

NEW
\$64,595 | MSRP \$64,595
2019 BMW 530 i xDrive
 Ext. Color: Blue Transmission: Automatic
 Int. Color: Black Drivetrain: AWD

Bill Jacobs BMW (855) 662-3008
 ★★★★★ 4.9 (623 reviews)

(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&z=60007 (for a particular user)). Furthermore, a user's Cars.com page is customized by the location information provided by the user:

☒ Location

☒ Make

☒ Certification

☒ Dealer Rating

☒ Dealer Name

☒ Service Centers

Jennings Chevy / VW
 ★★★★★ 118 reviews
 241 Waukegan Rd, Glenview, IL 60025 10 miles away
 "Our Reputation Rides with You"

Call 888-238-0819

Marino Chrysler Jeep Dodge RAM
 ★★★★★ 95 reviews
 5133 W Irving Park Road, Chicago, IL 60641 12 miles away
 "Family owned and operated!"

Call 773-355-4381

(https://www.cars.com/dealers/service/60007/?rd=30&dealerType=27980&sortBy=CERTIFIED_REPAIR&order=DSC&perPage=20 (for a particular user)).




67. As another example, a user can also customize their Cars.com page by selecting their saved cars, so that selected cars can be displayed:

First User:

My Saved Cars

Keep track of what catches your eye all in one place

Date Saved: Most Recent ▾

<div style="text-align: right; margin-bottom: 5px;">Remove ✕</div>  <p style="font-size: 0.8em;">25 photos</p> <p style="font-size: 0.8em;">Saved July 31, 2019</p> <p style="font-size: 0.8em;">USED</p> <p style="font-weight: bold;">2019 Mitsubishi Eclipse Cross</p> <p style="font-weight: bold; font-size: 1.2em;">\$27,439</p> <p style="font-size: 0.8em;">2,279 mi</p> <p style="font-size: 0.8em;">Free CARFAX 1-Owner Report</p>	<div style="text-align: right; margin-bottom: 5px;">Remove ✕</div>  <p style="font-size: 0.8em;">39 photos 1 Video</p> <p style="font-size: 0.8em;">Saved July 31, 2019</p> <p style="font-size: 0.8em;">USED</p> <p style="font-weight: bold;">2018 Mitsubishi Eclipse Cross</p> <p style="font-weight: bold; font-size: 1.2em;">\$20,224</p> <p style="font-size: 0.8em;">4,822 mi</p> <p style="font-size: 0.8em;">Free CARFAX 1-Owner Report</p>	<div style="text-align: right; margin-bottom: 5px;">Remove ✕</div>  <p style="font-size: 0.8em;">49 photos 1 Video</p> <p style="font-size: 0.8em;">Saved July 31, 2019</p> <p style="font-size: 0.8em;">USED</p> <p style="font-weight: bold;">2019 Mitsubishi Eclipse Cross LE</p> <p style="font-weight: bold; font-size: 1.2em;">\$19,595</p> <p style="font-size: 0.8em;">10,791 mi</p> <p style="font-size: 0.8em;">Free CARFAX Report</p>
--	--	--


(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

Second User:

My Saved Cars

Keep track of what catches your eye all in one place

Remove X



32 photos 1 Video
Cars.com (630)834-8000


Saved July 31, 2019

NEW

2019 RAM 2500 Big Horn

\$59,390

Remove X



18 photos 1 Video

Saved July 31, 2019

NEW

2018 RAM 2500 Big Horn

\$50,581

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

68. On information and belief, the Accused Instrumentality performs the step of storing a user-specific template program (*e.g.*, generic template customized to a user-specific template program based on user-specific interests & with real-time information) for the user in a data structure associated with a user identifier unique to the user (*e.g.*, the user-specific template is stored corresponding to every user based on the user's unique preferences and information associated with the user's sign-in information (*e.g.*, e-mail address)). Upon information and belief, after a user logs in, Cars.com can display a user's saved/recent search and listings. As such, a user-specific template program utilized to create the displayed websites that show a

user's saved/recent search and listings must be stored in a database wherein the template program is tied to a user's log in information/account.

The dashboard features four white boxes on a purple background, each with a purple icon and a count:

- 0** Saved Research (Icon: Document with magnifying glass)
- 3** Saved Cars (Icon: Car, highlighted with a red border)
- 2** Saved Searches (Icon: Magnifying glass over a document, highlighted with a red border)
- 0** Listings (Icon: Tag)

Below these boxes is a section titled **Recommended For You** with the subtitle "Our recommendations based on cars you've viewed".

Four car listings are shown below the recommendation section:

Image	Price • Mileage	Model
	\$20,225 • 9,663 mi	2018 Mitsubishi Eclipse Cross
	\$21,425 • 8 mi	2019 Mitsubishi Eclipse Cross
	\$17,696 • 6,700 mi	2018 Mitsubishi Outlander
	\$33,277 • 0 mi	2019 Toyota RAV4


(<https://www.cars.com/profile/dashboard/> (for a particular user)).

My Saved Cars

Keep track of what catches your eye all in one place

Date Saved: Most Recent

Remove ✕



25 photos

Saved July 31, 2019


USED

2019 Mitsubishi Eclipse Cross

\$27,439 2,279 mi

[Free CARFAX 1-Owner Report](#)

Remove ✕



39 photos 1 Video

Saved July 31, 2019


USED

2018 Mitsubishi Eclipse Cross

\$20,224 4,822 mi

[Free CARFAX 1-Owner Report](#)

Remove ✕



49 photos 1 Video

Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross LE

\$19,595 10,791 mi

[Free CARFAX Report](#)

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

69. A user can also customize their Cars.com page by selecting their saved cars, so that the saved cars can be displayed. Upon information and belief, in order to display the saved cars of interest to a user following their login, Cars.com must store the template programs utilized to render the pages in a database, and tie the template programs to a user's account. Below are screenshots pertaining to the selection process:

Vehicle saved!

View Saved/Compare Cars (3)

Add an email and Cars.com will send you any price drops/updates for your saved cars.

Create Alert

☐ Please do not show this message again.

[Cars.com Privacy Statement](#)

(<https://www.cars.com/for->

[sale/searchresults.action/?zc=10011&rd=30&stkTypId=28881&mkId=20030&mdId=36362434](https://www.cars.com/sale/searchresults.action/?zc=10011&rd=30&stkTypId=28881&mkId=20030&mdId=36362434&searchSource=RESEARCH_SHOP_INDEX)
&searchSource=RESEARCH_SHOP_INDEX (for a particular user)).

The screenshot displays a user's dashboard with four statistics: 0 Saved Research, 3 Saved Cars, 2 Saved Searches, and 0 Listings. The 'Saved Cars' and 'Saved Searches' boxes are highlighted with a red border. Below this is a 'Recommended For You' section with the text 'Our recommendations based on cars you've viewed'. This section contains four car listings, each with a photo, price, mileage, and model name.

Image	Price	Mileage	Model
	\$20,225	9,663 mi	2018 Mitsubishi Eclipse Cross
	\$21,425	8 mi	2019 Mitsubishi Eclipse Cross
	\$17,696	6,700 mi	2018 Mitsubishi Outlander
	\$33,277	0 mi	2019 Toyota RAV4

(<https://www.cars.com/profile/dashboard/> (for a particular user)). The following are screenshots of webpages customized according to the favorites of two respective users:


First User

My Saved Cars

Keep track of what catches your eye all in one place

Date Saved: Most Recent

Remove ✕



25 photos

Saved July 31, 2019


USED

2019 Mitsubishi Eclipse Cross

\$27,439 2,279 mi

[Free CARFAX 1-Owner Report](#)

Remove ✕



39 photos 1 Video

Saved July 31, 2019


USED

2018 Mitsubishi Eclipse Cross

\$20,224 4,822 mi

[Free CARFAX 1-Owner Report](#)

Remove ✕



49 photos 1 Video

Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross LE

\$19,595 10,791 mi

[Free CARFAX Report](#)


(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

Second User

My Saved Cars

Keep track of what catches your eye all in one place

Remove ✕



32 photos 1 Video


Saved July 31, 2019

NEW

2019 RAM 2500 Big Horn

\$59,390

Remove ✕



18 photos 1 Video

Saved July 31, 2019

NEW

2018 RAM 2500 Big Horn

\$50,581

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

70. Upon information and belief, the Accused Instrumentality performs the step of receiving, from the user and at the page server (e.g., Cars.com server), a user request (e.g., user login, search initiation, etc.) for a customized page (e.g., search results limited to a user's location, display of saved cars, pages with advertisements targeted to a user's interest, etc.) and determining a user identifier associated with the request (e.g., in order to limited search results to a location tied to an account, or nearby service and repair centers related to a user's location, Cars.com must determine a user identifier that links the request to the user's account and preferences).

Search within
30 miles ▾ 60007

☒ Show cars available for home delivery ?

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

Year
Min 1979 ▾ to Max 2020 ▾

Make
☒ BMW
☐ Acura


Get the latest listings by email b7740256@urhen.com Sign Up

FEATURED
MOTOR WERKS
Motor Werks - Barrington Auto Mall
★★★★★ (4.9) 3129 reviews
(847) 829-0027
Dealer Website
Currently in stock: 648 New | 88 CPO | 607 Used


2020 BMW X3 M Competit... \$84,395
2020 BMW M2 Competition \$64,590
2019 BMW X7 xDrive40i \$81,995

SPECIAL OFFERS
Bill Jacobs BMW (630) 615-3125 billjacobsbmw.com
NEW
\$64,595 | MSRP \$64,595
2019 BMW 530i xDrive
Ext. Color: Blue
Int. Color: Black
Transmission: Automatic
Drivetrain: AWD
Bill Jacobs BMW (855) 662-3008
★★★★★ 4.9 (623 reviews) 19 mi. from 60007
Check Availability


(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&zc=60007 (for a particular user)).




Location
60007




Make




Certification



Dealer Rating



Dealer Name




Service Centers

Jennings Chevy / VW



★★★★★ 118 reviews

📍 241 Waukegan Rd , Glenview, IL 60025 10 miles away

"Our Reputation Rides with You"

 **Schedule an Appointment**

Call 888-238-0819





Marino Chrysler Jeep Dodge RAM



★★★★★ 95 reviews

📍 5133 W Irving Park Road , Chicago, IL 60641 12 miles away

"Family owned and operated!"

 **Schedule an Appointment**

Call 773-355-4381


(https://www.cars.com/dealers/service/60007/?rd=30&dealerType=27980&sortBy=CERTIFIED_REPAIR&order=DSC&perPage=20 (for a particular user)).

My Saved Cars

Keep track of what catches your eye all in one place

Date Saved: Most Recent

Remove ✕




25 photos

Saved July 31, 2019


USED

2019 Mitsubishi Eclipse Cross

\$27,439 2,279 mi

 Free CARFAX 1-Owner Report

Remove ✕




39 photos 1 Video

Saved July 31, 2019


USED

2018 Mitsubishi Eclipse Cross

\$20,224 4,822 mi

 Free CARFAX 1-Owner Report

Remove ✕




49 photos 1 Video

Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross LE

\$19,595 10,791 mi

 Free CARFAX Report


(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

49

My Saved Cars

Keep track of what catches your eye all in one place

Remove X



32 photos 1 Video Cars.com (630)834-8000


Saved July 31, 2019

NEW

2019 RAM 2500 Big Horn

\$59,390

Remove X



18 photos 1 Video

Saved July 31, 2019


NEW

2018 RAM 2500 Big Horn

\$50,581


(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

71. On information and belief, the Accused Instrumentality performs the step of receiving a template program specific to the user using the determined user identifier (*e.g.*, user id & password) associated with the user request (*e.g.*, user login request). On information and belief, in order to display a webpage that shows search results limited to a user's location, saved cars and saved searches, Cars.com must receive a template program (*e.g.*, code, instructions, etc., used to create a webpage for display) tied to a user's account/preferences.




0

Saved Research




3

Saved Cars



2

Saved Searches




0


Listings

Recommended For You


Our recommendations based on cars you've viewed




\$20,225 • 9,663 mi
2018 Mitsubishi Eclipse Cross



\$21,425 • 8 mi
2019 Mitsubishi Eclipse Cross



\$17,696 • 6,700 mi
2018 Mitsubishi Outlander




\$33,277 • 0 mi
2019 Toyota RAV4

(<https://www.cars.com/profile/dashboard/> (for a particular user)).

My Saved Cars

Keep track of what catches your eye all in one place

Date Saved: Most Recent ↘



25 photos


Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross

\$27,439 2,279 mi

[Free CARFAX 1-Owner Report](#)



39 photos 1 Video


Saved July 31, 2019

USED

2018 Mitsubishi Eclipse Cross

\$20,224 4,822 mi

[Free CARFAX 1-Owner Report](#)



49 photos 1 Video

Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross LE

\$19,595 10,791 mi

[Free CARFAX Report](#)

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

Search within
30 miles

☒ Show cars available for home delivery (?)

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

Year
Min 1979 to Max 2020

Make
☒ BMW
☐ Acura

Get the latest listings by email

FEATURED
Motor Werks - Barrington Auto Mall
★★★★★ (4.9) 3129 reviews
(847) 829-0027
[Dealer Website](#)

Currently in stock: 648 New | 88 CPO | 607 Used

2020 BMW X3 M Competit... \$84,395
2020 BMW M2 Competition \$64,590
2019 BMW X7 xDrive40i \$81,995

SPECIAL OFFERS
Bill Jacobs BMW (630) 615-3125 [billjacobsbmw.com](#)

NEW
\$64,595 | MSRP \$64,595
2019 BMW 530i xDrive
Ext. Color: Blue Transmission: Automatic
Int. Color: Black Drivetrain: AWD

Bill Jacobs BMW (855) 662-3008
★★★★★ 4.9 (623 reviews)

(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&zc=60007 (for a particular user)).

Filter Results 122 matches near you | [Save Search](#) Sort by: Relevance: Best Match

Get the latest listings by email

Search within
20 miles

☒ Show cars available for home delivery (?)

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

Year
Min Max

NEW
\$24,990 | MSRP \$28,725
2019 Mitsubishi Eclipse Cross SE
Ext. Color: White Transmission: CVT
Int. Color: Black Drivetrain: 4x4/4-wheel drive

Northstar Mitsubishi (877) 851-8445
★★★★★ 4.3 (297 reviews)

(<https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mdId=36362434&mkId=20030&page=1&perPage=2>

[0&rd=20&searchSource=GN_REFINEMENT&sort=relevance&zc=10011](#) (for a particular user)).

72. On information and belief, the Accused Instrumentality performs the step that the template program is received from one of at least two locations (*e.g.*, main storage at the Cars.com server or local storage on the user's computer), the location determined from frequency of the user request for the customized page. On information and belief, template information that is part of the template program is stored for less frequently accessed files in the main storage and for more frequently accessed files in storage on the user's computer. Running the template program (page generation code, tiles, containers, and user data) creates the customized webpage. On information and belief, when a user signs-up or performs a login, the code takes the user template information and stores it in a site Javascript object that is used in logic to display various available cars and other site logic-based conditions. On information and belief, the template information is stored in multiple locations: (1) at runtime, in a Javascript object with the data structure called Context Data; (2) within browser local storage; and (3) browser cookies.

73. On information and belief, the Accused Instrumentality performs the step of executing the template program (*e.g.*, code, instructions, etc.) specific to the user (*e.g.*, used to create a user-specific web page) using the real-time information (*e.g.*, current car listings, saved cars/searches, targeted advertisements, etc.) stored in the shared local storage device (*e.g.*, car listings, saved cars/searches, and advertisements are pulled from storage servers/databases and sent to a web/API server used to process the data for display; the web/API server is local to Cars.com and is shared amongst all users accessing the Cars.com website) to generate the customized page (*e.g.*, a user webpage displaying car listings, saved cars/searches, etc.,

customized for a user based on their preferences). For example, the screenshots in Paragraph 71 are for two different users that have varying current car deals displayed based upon the users' respective locations and varying topics based on the selection of favorite topics (*i.e.*, real-time information selected for the user's customized web page based on the customization information unique to the user such as current car deals).

74. On information and belief, the Accused Instrumentality performs the step that the template program indicates items of interest (*e.g.*, car listings related to the user location, saved cars/searches, advertisements tied to a user's interest, etc.) to the user; and providing the user with the customized page (*e.g.*, user-specific web page). Users have varying current car deals displayed based upon the users' respective locations (*i.e.*, real-time information selected for the user's customized web page based on the customization information unique to the user such as current car deals). Users can also select their saved cars/searches so saved cars/searches regarding are displayed. (*E.g.*, screenshots in paragraph 71).

75. On information and belief, the Accused Instrumentality performs the step of receiving user preferences (*e.g.*, user location/favorite topics, etc.) for the user, wherein the user preferences indicate the items of interest to the user (*e.g.*, car listings near a user, saved cars/searches, etc.) and combining the user preferences with a generic template to form the template program specific to the user. On information and belief, the Accused Instrumentality uses a template program that is unique to the user to generate a customized webpage by combining customization information unique to the user and a global template that is generic to a plurality of users. The overall layout of a user's page will be shared amongst all users, however the content of that page will differ for each user, this being dictated by a unique template program that is made by taking a generic template that only defines layout and combining the

data specific to user's interests to be displayed within the layout. (*E.g.*, screenshots in paragraph 71).

76. Plaintiff has been damaged as a result of Defendant's infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant's infringement of the '414 patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

77. On information and belief, Defendant has had at least constructive notice of the '414 patent by operation of law, and there are no marking requirements that have not been complied with.

VI. COUNT IV
(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 7,565,359)

78. Plaintiff incorporates the above paragraphs herein by reference.

79. On July 21, 2009, United States Patent No. 7,565,359 ("the '359 Patent") was duly and legally issued by the United States Patent and Trademark Office. The '359 Patent is titled "Dynamic Page Generator." A true and correct copy of the '359 Patent is attached hereto as Exhibit K and incorporated herein by reference.

80. Digi Portal is the assignee of all right, title and interest in the '359 patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the '359 Patent. Accordingly, Digi Portal possesses the exclusive right and standing to prosecute the present action for infringement of the '359 Patent by Defendant.

81. The application leading to the '359 patent was filed January 22, 2007, as a continuation of application no. 09/393,718, which issued as the '414 patent, which was a

continuation of application no. 08/873,975, which issued as the '227 patent. (Ex. K at cover). The '359 patent was first assigned to Yahoo! Inc. (*Id.*).

82. The invention in the '359 Patent relates to the field of customized information presentation on the web; more specifically, providing customized pages that are quickly served and scalable to handle many users simultaneously. (*Id.* at col. 1:22-27).


83. The '359 Patent shares the identical specification as the '854 patent and therefore Digi Portal incorporates the background and discussion of the invention in Paragraphs 13-25. Furthermore, the prosecution history of the '359 patent highlights advantages and the unconventional features of the claimed invention. When allowing the claims of the '359 patent, the examiner focused on the last two limitations of the claim stating that executing the template program specific to the user using the real-time information stored in the shared local storage device to generate a customized page; and receiving user preferences for the user, and combining the user preferences with a generic template to form the template specific to the user, wherein the user preferences indicate the items of interest to the user in conjunction with the other limitations was not found in the prior art. (Ex. L at 8).

84. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing at least claim 10 of the '359 patent in Delaware, and elsewhere in the United States, by performing actions comprising making and/or using the claimed computer-readable medium comprising instructions for generating customized pages that are customized according to user preferences that performs the method steps required by the claim, including without limitation through the method implemented of providing a user's Cars.com page ("Accused Instrumentality"). The Accused Instrumentality utilizes a computer-readable medium comprising instructions (*e.g.*, code that is executed to create webpages) for generating

customized pages (*e.g.*, user-specific web pages), wherein the customized pages are customized according to user preferences (*e.g.*, web pages will be customized to show car listings near a user's location, saved cars/searches, service and repair centers related to a user's location, advertisements targeted to a user's interest, etc.).


85. On information and belief, the Accused Instrumentality performs the step of storing the real-time information in a shared local storage device (*e.g.*, car listings, saved cars/searches, and advertisements will be pulled from a storage server/database and sent to a Cars.com local web/API server for processing and display). On information and belief, the Accused Instrumentality also performs the step of storing a user-specific template program (*e.g.*, instructions and data used to generate a custom user webpage) for a plurality of users, wherein each template program indicates items of interest to a user (*e.g.*, each user's template program will include instructions, code, etc. that dictates the information that should be displayed for a user based on their interest), and is associated with a user identifier (*e.g.*, in order for a user to see information specific to them and their account, such as saved cars/searches, the template program for their webpage must be tied to their login credentials), wherein the user identifier is associated with a user request (*e.g.*, user login and subsequent search request, navigation, etc.) for a customized page.

86. For example, after a user logs in, Cars.com displays a user's saved/recent search and listings and therefore a user-specific template program utilized to create the displayed websites that show a user's saved/recent search and listings must be tied to a user's log in information/account.




0

Saved Research




3

Saved Cars



2

Saved Searches




0


Listings

Recommended For You


Our recommendations based on cars you've viewed




\$20,225 • 9,663 mi
2018 Mitsubishi Eclipse Cross



\$21,425 • 8 mi
2019 Mitsubishi Eclipse Cross



\$17,696 • 6,700 mi
2018 Mitsubishi Outlander




\$33,277 • 0 mi
2019 Toyota RAV4

(<https://www.cars.com/profile/dashboard/> (for a particular user)).

My Saved Cars

Keep track of what catches your eye all in one place

Date Saved: Most Recent ▾



25 photos


Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross

\$27,439 2,279 mi

[Free CARFAX 1-Owner Report](#)



39 photos 1 Video


Saved July 31, 2019

USED

2018 Mitsubishi Eclipse Cross

\$20,224 4,822 mi

[Free CARFAX 1-Owner Report](#)



49 photos 1 Video

Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross LE

\$19,595 10,791 mi

[Free CARFAX Report](#)

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

87. For example, a user can also customize their Cars.com page to show current car deals near the location linked to a user's account. In order to display the current car deals of interest to a user following their login, Cars.com must tie the template programs to a user's account.

First User:

The screenshot displays the Cars.com search interface. On the left, search filters are visible: 'Search within' is set to '30 miles' and '60007' (highlighted with a red box); 'Show cars available for home delivery' is checked; 'New/Used' filters show 'All' selected; 'Year' filters show 'Min' as 1979 and 'Max' as 2020; 'Make' filters show 'BMW' selected and 'Acura' unselected. The main content area features a 'FEATURED' section for 'Motor Werks - Barrington Auto Mall' and a 'SPECIAL OFFERS' section for 'Bill Jacobs BMW'. The 'Bill Jacobs BMW' listing shows a '2019 BMW 530i xDrive' for '\$64,595'. Below the car image, the dealer's name 'Bill Jacobs BMW' is followed by '(855) 662-3008', a 4.9-star rating from 623 reviews, and a red box highlighting '19 mi. from 60007'. A 'Check Availability' button is present at the bottom of the listing.

(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&zc=60007 (for a particular user)).

Second User:

Filter Results | New Search | 122 matches near you | [Save Search](#) | Sort by: Relevance: Best Match

Location: Search within 20 miles | 10011

☒ Show cars available for home delivery

New/Used: ☒ All ☐ New ☐ Used ☐ Certified Pre-Owned

Year: Min Max

Get the latest listings by email: b5879966@urhen.com | Sign Up

2019 Mitsubishi Eclipse Cross SE

NEW \$24,990 | MSRP \$28,725

Ext. Color: White | Transmission: CVT
Int. Color: Black | Drivetrain: 4x4/4-wheel drive

Northstar Mitsubishi (877) 851-8445
★★★★☆ 4.3 (297 reviews) | 4 mi. from 10011

[Check Availability](#)

(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mdId=36362434&mkId=20030&page=1&perPage=20&rd=20&searchSource=GN_REFINEMENT&sort=relevance&zc=10011 (for a particular user)).

88. For example, a user's Car.com page will also be customized to display saved cars and searches linked to a user's account.


First User:

My Saved Cars

Keep track of what catches your eye all in one place

Date Saved: Most Recent

Remove X



25 photos

Saved July 31, 2019


USED

2019 Mitsubishi Eclipse Cross

\$27,439 2,279 mi

Free CARFAX 1-Owner Report

Remove X



39 photos 1 Video

Saved July 31, 2019


USED

2018 Mitsubishi Eclipse Cross

\$20,224 4,822 mi

Free CARFAX 1-Owner Report

Remove X



49 photos 1 Video

Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross LE

\$19,595 10,791 mi

Free CARFAX Report


(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

Second User:

My Saved Cars

Keep track of what catches your eye all in one place

Remove X



32 photos 1 Video

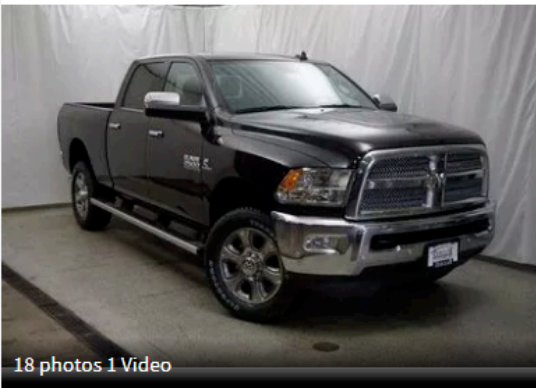
Saved July 31, 2019

NEW

2019 RAM 2500 Big Horn

\$59,390

Remove X



18 photos 1 Video

Saved July 31, 2019

NEW

2018 RAM 2500 Big Horn

\$50,581

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

89. For example, the JavaScript code below was retrieved from browser developer tools. Based on user data, the code is managing various Cars.com data based on user preferences such as location.

```
t=o.merge([window.gigya.thisScript.globalConf,n]);e.run(t,n);window.gigya.thisScript&&window.gigya.thisScript.globalConf?
a():r.queueForExecution("API",a)}},e)};t.BaseApi=s},function(e,t,i){Object.defineProperty(t,"__esModule",{value:!0});var
n=i(3),o=i(27),r=i(6),a=i(12),s=i(1),c=[];function l(){if("undefined"!==typeof FB)
{window.gigya.providersConfig.facebook&&window.gigya.providersConfig.facebook.appID&&FB&&FB.getLoginStatus(function(e)
{t.initializedTime=new
Date,t.isConnected="connected"==e.status,t.isLoggedIn="unknown"!=e.status,o.dispatch({eventName:"FBCRefreshed"}),!0)}}function u(){var e=
{};if("undefined"!==typeof FB&&FB.getAuthResponse)try{var t=FB.getAuthResponse();t&&(null!=t.userID&&(e.fb_UID=t.userID),null!=t.accessToken&&
(e.fb_at=t.accessToken),null!=t.expiresIn&&(e.fb_exp=t.expiresIn))}catch(e){}return e};t.isLoggedIn=!1,t.isConnected=!1,t.isLoaded=function(){return
null!=t.initializedTime},t.load=function(e){if(!t.initializedTime){t.initializedTime=null,window.setInterval(function()
{!{}},27e5),window.fbAsyncInit=function(){var i=n.clone(window.gigya.thisScript.globalConf.facebookInitParams);i||(i=
{}),window.gigya.providersConfig.facebook?

```

(https://cdns.gigya.com/js/socialize.js?apiKey=2_ms8RABTUb54IxnDMwsEJqFDUIJX8YsGzo

[mm_AYiCb006grdeK9-7CjgKd4nU8Hspk](#) (for a particular user)).

```
{},t.autoLogin=function(){window.gigya.socialize.waitForService({service:"googlePlus",callback:function()
{window.gigya._.apiAdapter.isSessionValid(window.gigya.thisScript.globalConf,function(e)
{e||gapi.auth.authorize({client_id:window.gigya.providersConfig.googlePlus.clientId,scope:window.gigya.providersConfig.googlePlus.scopes,immediate:!
0,response_type:"token"},function(e){e&&e.access_token&&window.gigya._.autoLoginInProgress&&
(window.gigya._.autoLoginInProgress=!0,window.gigya.socialize.notifyLogin({providerSessions:{googlePlus:
{authToken:e.access_token}}}})}},function(e,t,i){Object.defineProperty(t,"__esModule",{value:!0});var
n=i(101),o=i(97),r=i(103),a=i(18),s=i(6),c=i(5);t.defaultApiSchema="ctag|APIKey|cid|oauth_token|source|sourceData|usePost|refUID|fb_UID|fb_at|fb_exp
|environment|noAuth",t.defaultOauthSchema="ctag|temporary_account|authFlow|connectWithoutLogin|provider|redirectMethod|redirect_uri|pendingRegistrat
ion|lang|regSource|extraPermissions|sessionExpiration|forceAuthentication|includeRank|includeAllIdentities|extraFields|enabledProviders|disabledPro
viders|signIDs|openIDUsername|openIDURL|openIDProviderLogo|openIDProviderName|finalizeRegistration|include|actionAttributes|profileAttributes|google
PlayAppID|bp_channel_url|loginIfExists|includeUserInfo|redirectURL|authCodeOnly|enablePopupLocation|invite|regToken|loginMode|apiDomain|conflictHand
ling|forcePermissions|signKeys",t.postBookmarkSchema="provider|URL|url|title|description|target|cid|APIKey|shortURLs|source|sourceData|providerKey|t
humbnailURL|tags|userAction|providerCapability|actions|UserAction|actionAttributes|facebookDialogType",t.loginMethods=
{"socialize.login":1,"socialize.addConnection":1,"socialize.notifyLogin":1,"socialize.linkAccounts":1,"accounts.login":1,"accounts.otp.login":1,"acc
ounts.socialLogin":1,"accounts.linkAccounts":1,"accounts.register":1,"accounts.finalizeRegistration":1};var l=function(e)

```

(https://cdns.gigya.com/js/socialize.js?apiKey=2_ms8RABTUb54IxnDMwsEJqFDUIJX8YsGzo

[mm_AYiCb006grdeK9-7CjgKd4nU8Hspk](#) (for a particular user)).

```
[providerCapability=actions]UserAction|provider"),new n.ServerApi("socialize.getReactionsCount","barID|buttonIDs|reportLoad"),new
n.ServerApi("socialize.incrementReactionsCount","barID|buttonID|count|actionAttributes|profileAttributes"),new
n.ServerApi("socialize.deleteAccount",void 0,!0),new n.ServerApi("socialize.delUserSettings","group|settings",!0),new
n.ServerApi("socialize.getContacts","enabledProviders|disabledProviders",!0),new
n.ServerApi("socialize.getFriendsInfo","enabledProviders|disabledProviders|detailLevel|UIDs|siteUsersOnly|requiredCapabilities|signIDs",!0),new
n.ServerApi("socialize.getRawData","provider|UID|fields|dataFormat|path",!0),new
n.ServerApi("socialize.getSessionInfo","provider|paddingMode|encrypt|signIDs|encryptAll",!0),new
n.ServerApi("socialize.getUserInfo","enabledProviders|disabledProviders|signIDs|includeiRank|includeAllIdentities|extraFields|group|settings|include
OpenidUID",!0),new n.ServerApi("socialize.getUserSettings","group|settings|regToken",!0,void 0,{forceHttps:!0},"regToken"),new
n.ServerApi("socialize.checkin","enabledProviders|disabledProviders|placeID|comment|latitude|longitude|actionAttributes|profileAttributes",!0),new
n.ServerApi("socialize.logout","signIDs|samlContext|sustainLogoutURLs",!0,{preprocessor:d,disableCache:!0},{requiresSession:p}),new
n.ServerApi("socialize.notifyRegistration","siteUID|UIDTimestamp|UIDSig",!0),new n.ServerApi("socialize.publishUserAction","userAction|
[providerCapability=actions]UserAction|enabledProviders|disabledProviders|target|shortURLs|userLocation|tags|actionAttributes|profileAttributes",!0)
,new n.ServerApi("socialize.removeConnection","provider|lastIdentityHandling|removeLoginID",!0),new
n.ServerApi("socialize.setStatus","shortURLs|status|
[providerCapability=status]Status|enabledProviders|disabledProviders|userLocation|actionAttributes|profileAttributes",!0),new
n.ServerApi("socialize.setUID","siteUID|UIDTimestamp|UIDSig",!0),new n.ServerApi("socialize.setUserSettings","group|settings|regToken",!0,void 0,
{forceHttps:!0},"regToken"),new n.ServerApi("socialize.unlinkAccounts",void 0,!0),new
n.ServerApi("socialize.sendEmail","dontSendEmail|companyName|lang|emails|emailSubject|emailBody|linkBack|senderEmail|senderName|userMsg|shortURLs|us
erAction|[providerCapability=actions]UserAction|actionAttributes|profileAttributes|captchaTicket|lang",!1,void 0,{forceHttps:!0}),new
n.ServerApi("socialize.facebookGraphOperation","graphPath|graphParams|authRequired|method|authType"),new
n.ServerApi("socialize.getTopShares","age|tag|limit"),new n.ServerApi("socialize.notifySSOLogin","bp_channel_url"),new
n.ServerApi("gm.getChallengeStatus","UID|includeChallenges|excludeChallenges|details|lang|actionAttributes|profileAttributes"),new
n.ServerApi("gm.resetLevelStatus","challenges|actionAttributes|profileAttributes",!0),new
n.ServerApi("gm.getTopUsers","challenge|totalCount|friendsCount|includeSelf|period|lang|actionAttributes|profileAttributes"),new
```

(https://cdns.gigya.com/js/socialize.js?apiKey=2_ms8RABTUb54IxnDMwsEJqFUDJX8YsGzommm_AYiCb006grdeK9-7CjgKd4nU8Hspk (for a particular user)).

90. On information and belief, the Accused Instrumentality performs the step of receiving a template program (e.g., code, instructions, etc. that are executed to create a user page) specific to the user using the user identifier (e.g., as explained above, in order to display pages customized for a user subsequent to their login, the template program used to create the customized page must be tied to the user's account credentials), wherein the template program is received from one of at least two locations (e.g., main storage at a Cars.com server or local device storage), the location based upon a frequency of user requests for the customized page. On information and belief, template information that is part of the template program is stored for less frequently accessed files in a main storage server wherein frequently accessed files will be stored in local storage on the user's computer. On information and belief, when a user signs-up or performs a login, the code takes the user template information and stores it in a site Javascript object that is used in logic to display various available cars, and other site logic-based conditions. The template information can be stored in multiple locations including but not limited to (1) at runtime, in a Javascript object with the data structure called ContextData; (2) within browser local storage; and (3) browser cookies.

91. On information and belief, the Accused Instrumentality performs that step of executing the template program specific to the user (*e.g.*, generating user-specific web page by executing a template program which is composed of code, instructions, and data) using the real-time information stored in the shared local storage device (*e.g.*, car listings, service and repair centers, and advertisements pulled from external storage servers/databases and sent to a local Cars.com web/API server for processing and display) to generate the customized page. As shown above, a user's Cars.com page will be customized to show current car deals near the location linked to a user's account, and a user can also customize their Cars.com page by saved cars/searches so that saved cars/searches can be displayed.

92. On information and belief, the Accused Instrumentality performs the step of receiving user preferences for the user (*e.g.*, user location, favorite topics, past/saved searches, user interest/habits etc.), and for combining the user preferences with a generic template to form the template program specific to the user (*e.g.*, user-specific web page), wherein the user preferences indicate the items of interest to the user. On information and belief, the Accused Instrumentality uses a template program that is unique to the user to generate a customized webpage by combining customization information unique to the user and a global template that is generic to a plurality of users. The overall layout of a user's page will be shared among all users; however, the content of that page will differ for each user, this being dictated by a unique template program that is made by taking a general template that only defines layout and adding the data to be displayed within the layout. For example, the following screenshots of two different users that have varying current car deals displayed based upon the users' respective locations (*i.e.*, real-time information selected for the user's customized web page based on the customization information unique to the user such as current car deals) shows that the template

program is varied so that each user can receive appropriately customized pages (e.g., the code for each respective page is updated/adapted to pull from different resources so that the appropriate information/data can be referenced/displayed for each user).

First User:

942 Auto Shops in Elk Grove Village, IL

RepairPal Certified

Looking for a dealer

Location
60007

Make

Certification

Dealer Rating

Dealer Name

Service Centers

Jennings Chevy / VW
 ★★★★★ 118 reviews
 241 Waukegan Rd , Glenview, IL 60025 10 miles away
 "Our Reputation Rides with You"
[Schedule an Appointment](#) Call 888-238-0819

Marino Chrysler Jeep Dodge RAM
 ★★★★★ 94 reviews
 5133 W Irving Park Road , Chicago, IL 60641 12 miles away
 "Family owned and operated!"
[Schedule an Appointment](#) Call 773-355-4381

(<https://www.cars.com/dealers/service/60007/> (for a particular user)).

My Saved Cars

Keep track of what catches your eye all in one place

Date Saved: Most Recent

Remove

25 photos

Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross

\$27,439 2,279 mi

[Free CARFAX 1-Owner Report](#)

Remove

39 photos 1 Video

Saved July 31, 2019

USED

2018 Mitsubishi Eclipse Cross

\$20,224 4,822 mi

[Free CARFAX 1-Owner Report](#)

Remove

49 photos 1 Video

Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross LE

\$19,595 10,791 mi

[Free CARFAX Report](#)

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

Second User:

Service & Repair / Find a Service Center

1332 Auto Shops in New York, NY

RepairPal Certified

Looking for a dealership?

Location
10011

Make

Certification

Dealer
Rating

Dealer
Name

Service
Centers

Three County Volkswagen

★★★★★ 541 reviews

701 Riverside Ave , Lyndhurst, NJ 07071 9 miles away

"Hablamos espanol,Falamos Portugues,Mowimy po polsku!"

Schedule an Appointment

Call 201-559-7456

Fordham Toyota

★★★★★ 79 reviews

236 West Fordham Road , Bronx, NY 10468 10 miles away

"The Smart Way to Buy!!.....110% Price Protection Guaranteed!!"

Schedule an Appointment

Call 888-618-2506

24/7 Mobile Truck
Repair Svc

Truck, Trailer, Intermodal

Experienced 24/7 Mobile
Truck & Trailer Repair - Fast
Response, Great Results


allnitesite.com

(<https://www.cars.com/dealers/service/10011/> (for a particular user)).

My Saved Cars

Keep track of what catches your eye all in one place

Remove X




32 photos 1 Video Cars.com (630)834-8000

Saved July 31, 2019

NEW
2019 RAM 2500 Big Horn
\$59,390

Remove X



18 photos 1 Video

Saved July 31, 2019

NEW
2018 RAM 2500 Big Horn
\$50,581

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

93. Plaintiff has been damaged as a result of Defendant's infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant's infringement of the '359 patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

94. On information and belief, Defendant has had at least constructive notice of the '359 patent by operation of law, and there are no marking requirements that have not been complied with.

VII. COUNT V **(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 9,626,342)**

95. Plaintiff incorporates the above paragraphs herein by reference.

96. On April 18, 2017, United States Patent No. 9,626,342 (“the ‘342 Patent”) was duly and legally issued by the United States Patent and Trademark Office. The ‘342 Patent is titled “Dynamic Page Generator.” The ‘342 patent is not subject to a terminal disclaimer and its term is extended under 35 U.S.C. 154(b) by 891 days. (Ex. M). A true and correct copy of the ‘342 Patent is attached hereto as Exhibit M and incorporated herein by reference.

97. Digi Portal is the assignee of all right, title and interest in the ‘342 patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the ‘342 patent. Accordingly, Digi Portal possesses the exclusive right and standing to prosecute the present action for infringement of the ‘342 patent by Defendant.

98. The application leading to the ‘342 patent was filed December 21, 2012, as a continuation of application no. 11/842,095, which was a continuation of application no. 11/656,636, which is a continuation of 09/393,718, which was a continuation of application no. 08/873,975, which issued as the ’227 patent. (Ex. M at cover).

99. The invention in the ‘342 patent relates to the field of customized information presentation on the web; more specifically, providing customized pages that are quickly served and scalable to handle many users simultaneously. (*Id.* at col. 1:33-37).

100. The ‘342 patent shares the identical specification as the ‘854 patent and therefore Digi Portal incorporates the background and discussion of the invention in Paragraphs 13-25.

101. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing at least claims 1 and 7 of the ‘342 patent in Delaware, and elsewhere in the United States, by performing actions comprising performing the claimed method steps, including without limitation through the method implemented of providing a user’s Cars.com page

(“Accused Instrumentality”). The Accused Instrumentality practices the method of responding to a user request (*e.g.*, a user login request, search initiation, etc.) for a customized page (*e.g.*, a user’s customized home and search pages on the Cars.com website). (*E.g.*, <https://www.cars.com/profile/secure/login/?continue=%2F>).

102. On information and belief, the Accused Instrumentality performs the step of generating, via at least one server computer (*e.g.*, Cars.com server), a template program unique to the user (*e.g.*, a template program will be unique to a user because it is composed of instruction, code, and data that is processed/executed to create a webpage customized to a user), the template program that is unique to the user being used to form the user's customized web page, the template program that is unique to the user being generated using customization information unique to the user (*e.g.*, user location, past/saved searches, user interest/habits etc.) and a global template that is generic to a plurality of users. On information and belief, the Accused Instrumentality uses a template program that is unique to the user to generate a customized webpage by combining customization information unique to the user and a global template that is generic to a plurality of users. The overall layout of a user’s page will be shared among all users; however, the content of that page will differ for each user, this being dictated by a unique template program that is made by taking a general template that only defines layout and combining the data selected based on customization information unique to the user to be displayed within the layout. For example, the following screenshots for two different users have varying current car deals displayed based upon the users’ respective locations (*i.e.*, real-time information selected for the user's customized web page based on the customization information unique to the user such as current car deals near a particular location).

First User:

Search within
30 miles

☒ Show cars available for home delivery ?

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

Year
 Min to Max

Make
☒ BMW
☐ Acura

Get the latest listings by email

FEATURED
Motor Werks - Barrington Auto Mall
 ★★★★★ (4.9) 3129 reviews
 (847) 829-0027
[Dealer Website](#)
 Currently in stock: 648 New | 88 CPO | 607 Used

SPECIAL OFFERS
Bill Jacobs BMW (630) 615-3125 billjacobsbmw.com

NEW
\$64,595 | MSRP \$64,595
2019 BMW 530i xDrive
 Ext. Color: Blue Int. Color: Black
 Transmission: Automatic Drivetrain: AWD
Bill Jacobs BMW (855) 662-3008
 ★★★★★ 4.9 (623 reviews)

(https://www.cars.com/sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&zc=60007 (for a particular user)).

Second User:

Filter Results

Location
 Search within
 20 miles


☒ Show cars available for home delivery ?

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

Year
 Min Max

122 matches near you | [Save Search](#) Sort by: Relevance: Best Match

Get the latest listings by email



NEW
\$24,990 | MSRP \$28,725
2019 Mitsubishi Eclipse Cross SE
 Ext. Color: White Int. Color: Black
 Transmission: CVT Drivetrain: 4x4/4-wheel drive
Northstar Mitsubishi (877) 851-8445
 ★★★★★ 4.3 (297 reviews)

(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mdId=36362434&mkId=20030&page=1&perPage=20&rd=20&searchSource=GN_REFINEMENT&sort=relevance&zc=10011 (for a particular user)).

103. For example, a user can also customize their Cars.com page by selecting their saved cars, so that selected cars can be displayed.

Vehicle saved!


View Saved/Compare Cars (3)

Add an email and Cars.com will send you any price drops/updates for your saved cars.


Create Alert

☐ Please do not show this message again.
[Cars.com Privacy Statement](#)


(https://www.cars.com/for-sale/searchresults.action/?zc=10011&rd=30&stkTypId=28881&mkId=20030&mdId=36362434&searchSource=RESEARCH_SHOP_INDEX (for a particular user)).




0
Saved Research



3
Saved Cars




2
Saved Searches




0
Listings

Recommended For You


Our recommendations based on cars you've viewed




\$20,225 • 9,663 mi
2018 Mitsubishi Eclipse Cross



\$21,425 • 8 mi
2019 Mitsubishi Eclipse Cross



\$17,696 • 6,700 mi
2018 Mitsubishi Outlander



\$33,277 • 0 mi
2019 Toyota RAV4


(<https://www.cars.com/profile/dashboard/> (for a particular user)).

First User:


My Saved Cars

Keep track of what catches your eye all in one place


Date Saved: Most Recent ▾



25 photos
Saved July 31, 2019
USED
2019 Mitsubishi Eclipse Cross
\$27,439 2,279 mi
[Free CARFAX 1-Owner Report](#)



39 photos 1 Video
Saved July 31, 2019
USED
2018 Mitsubishi Eclipse Cross
\$20,224 4,822 mi
[Free CARFAX 1-Owner Report](#)



49 photos 1 Video
Saved July 31, 2019
USED
2019 Mitsubishi Eclipse Cross LE
\$19,595 10,791 mi
[Free CARFAX Report](#)


(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

Second User:

My Saved Cars

Keep track of what catches your eye all in one place

Remove X



32 photos 1 Video
Cars.com (630)834-8000


Saved July 31, 2019

NEW

2019 RAM 2500 Big Horn

\$59,390

Remove X



18 photos 1 Video

Saved July 31, 2019

NEW

2018 RAM 2500 Big Horn

\$50,581

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

104. On information and belief, the Accused Instrumentality performs the step of executing, via the at least one server computer (*e.g.*, Cars.com server), the user's template program (*e.g.*, instructions, code and data used to create a user webpage) to generate the user's customized web page, the user's customized web page including real-time information (*e.g.*, car listings, saved cars/searches, advertisements) selected for the user's customized web page based on the customization information unique to the user (*e.g.*, user location, saved cars/searches, and interest/habits). For example, a user's Cars.com page will be customized to show current car deals near the location linked to a user's account.

First User:

Search within
30 miles

☒ Show cars available for home delivery ?

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned


Year
Min 1979 to Max 2020

Make
☒ BMW
☐ Acura

Get the latest listings by email

FEATURED
Motor Werks - Barrington Auto Mall
★★★★★ (4.9) 3129 reviews
(847) 829-0027
[Dealer Website](#)
Currently in stock: **648 New** | **88 CPO** | **607 Used**

2020 BMW X3 M Competit... \$84,395
2020 BMW M2 Competition \$64,590
2019 BMW X7 xDrive40i \$81,995

SPECIAL OFFERS
Bill Jacobs BMW (630) 615-3125 [billjacobsbmw.com](#)

NEW
\$64,595 | MSRP \$64,595
2019 BMW 530i xDrive
Ext. Color: Blue Transmission: Automatic
Int. Color: Black Drivetrain: AWD
Bill Jacobs BMW (855) 662-3008
★★★★★ 4.9 (623 reviews)

(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&z=60007 (for a particular user)).

Second User:

Filter Results

Location
Search within
20 miles


☒ Show cars available for home delivery ?

New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned

Year
Min Max

122 matches near you [Save Search](#) Sort by: Relevance: Best Match

Get the latest listings by email


NEW
\$24,990 | MSRP \$28,725
2019 Mitsubishi Eclipse Cross SE
Ext. Color: White Transmission: CVT
Int. Color: Black Drivetrain: 4x4/4-wheel drive
Northstar Mitsubishi (877) 851-8445
★★★★★ 4.3 (297 reviews)

Feedback

(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mdId=36362434&mkId=20030&page=1&perPage=20&rd=20&searchSource=GN_REFINEMENT&sort=relevance&zc=10011 (for a particular user)).

105. For example, a user can also customize their Cars.com page by selecting their saved, so that selected cars can be displayed.


First User:

My Saved Cars

Keep track of what catches your eye all in one place

Date Saved: Most Recent ▾

Remove ✕



25 photos

Saved July 31, 2019


USED

2019 Mitsubishi Eclipse Cross

\$27,439 2,279 mi

Free CARFAX 1-Owner Report

Remove ✕



39 photos 1 Video

Saved July 31, 2019


USED

2018 Mitsubishi Eclipse Cross

\$20,224 4,822 mi

Free CARFAX 1-Owner Report

Remove ✕



49 photos 1 Video

Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross LE

\$19,595 10,791 mi


Free CARFAX Report

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

Second User:

My Saved Cars

Keep track of what catches your eye all in one place




Saved July 31, 2019

NEW

2019 RAM 2500 Big Horn

\$59,390



Saved July 31, 2019

NEW

2018 RAM 2500 Big Horn

\$50,581

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

106. On information and belief, the Accused Instrumentality performs the step of in response to receiving a subsequent request for the user's customized web page (*e.g.*, user login); receiving, via the at least one server computer (Cars.com server), the template program that is unique to the user from one of at least two locations (*e.g.*, main storage at a Cars.com server or local storage on the user's device), the location determined from the frequency of the request for the user's customized web page. On information and belief, template information that is part of the template program is stored for less frequently accessed files in a main storage wherein frequently accessed files will be stored in storage on the user's computer. Running the template program (page generation code, tiles, containers, and user data) creates the customized webpage.

On information and belief, when a user signs-up or performs a login, the code takes the user template information and stores it in a site Javascript object that is used in logic to display various available cars and other site logic-based conditions. On information and belief, the template information can be stored in multiple locations: (1) at runtime, in a Javascript object with the data structure called ContextData; (2) within browser local storage; and (3) browser cookies.

```
parseFloat(o.slice(o.indexOf("android")+8)):0,isChrome:-1!=o.indexOf("chrome")&&-1==o.indexOf("edge"),isGoogleBot:-1!=o.indexOf("googlebot"),isFF:-1!=o.indexOf("firefox"),isOpera:-1!=o.indexOf("opera"),isSafari:navigator.appVersion&1!=navigator.appVersion.toLowerCase().indexOf("safari")&&-1==navigator.appVersion.toLowerCase().indexOf("chrome")&&-1==o.indexOf("android"),isIOSWebView:(i=iPhone|iPod|iPad).AppleWebKit?.i.Safari).i.test(navigator.userAgent),isIOSChrome:-1!=o.indexOf("crios"),isMAC:navigator.appVersion&1!=navigator.appVersion.toLowerCase().indexOf("mac"),isWindowsPhone:-1!=o.indexOf("windows phone"),isFacebookBrowser:-1!=o.indexOf("fban")||-1!=o.indexOf("fbav"),supportsPostMessage:null!=window.postMessage&&(-1==o.indexOf("msie")||-1!=o.indexOf("iemobile")),supportsLocalStorage:!1,supportsSessionStorage:!1,supportsFlash:function(){var e=1;try{if(navigator.mimeTypes&null!=navigator.mimeTypes["application/x-shockwave-flash"]&&navigator.mimeTypes["application/x-shockwave-flash"].enabledPlugin!=0;else new ActiveXObject("ShockwaveFlash.ShockwaveFlash")&&(e=10)}catch(e){return e}()},quirksMode:"BackCompat"==document.compatMode&&-1!=o.indexOf("msie"),backCompat:"BackCompat"==document.compatMode,isMobile:function(){var e=["iphone","ipod","android","midp","240x320","blackberry","netfront","nokia","panasonic","portalmmm","sharp","sie-","sonyericsson","symbian","windows ce","benq","mda","mot-","opera mini","philips","pocket pc","sagem","samsung","htc"];for(var t in e){if(-1!=o.indexOf(e[t]))return!0;return!1}}(),isMobileApp:function(){if(!document.getElementsByTagName)return!1;for(var e=document.getElementsByTagName("meta"),t=0;t<e.length;t++){if("viewport"==e[t].getAttribute("name")){var i=e[t].getAttribute("content");if(i&&-1==i.indexOf("width=device-width"))return!0;return!1}()},isNativeMobileApp:!1,isTouch:function(){if("ontouchstart" in window)return!0;if("onmsgestchange" in window){return new ActiveXObject("htmlfile"),!1}catch(e){return!0;return!1}},messagingMethod:0;var n=function(e){try{var t=window[e];if(!t)return!1;var i=gig_localStorage.test,n="just checking for localStorage";t.setItem(i,n);var o=t.getItem(i);return t.removeItem(i,o).catch(e){return!1}};t.localInfo.supportsLocalStorage?("localStorage":t.localInfo.supportsSessionStorage?("sessionStorage"),t.localInfo.isIE11&&window.indexedDB&&(t.localInfo.supportsPostMessage=1),t.localInfo.isMAC=t.localInfo.isMAC&&t.localInfo.isIOS;var a=t.localInfo.isWin?window:t.localInfo.isWindowsPhone?"winphone":t.localInfo.isIOS?"ios-v":t.localInfo.isVersion?t.localInfo.isMAC?"mac":t.localInfo.isAndroid?"android":"";a&&(a+=" ");var s,c,t.localInfo.isChrome?"chrome":t.localInfo.isFF?"firefox":t.localInfo.isSafari?"safari":t.localInfo.isEdge?"edge":t.localInfo.isIE11?"ie11":t.localInfo.isIE10?"ie10":t.localInfo.isIE9?"ie9":t.localInfo.isIE8?"ie8":t.localInfo.currentBrowser=a+c,window.gigya.partnerSettings&&window.gigya.partnerSettings.baseDomains?s=window.gigya.partnerSettings.baseDomains.split(",");(window.self==window.top&&console.log("gigya: missing base domains for site"),s=[document.location.hostname],t.localInfo.baseDomain=cn.getBaseDomain(s)),function(e,t,i){Object.defineProperty(t,"_esModule",{value:!0});var n=(4);function o(e,t,i){if(!t)return e;for(var n=e,o,t.split(""),r=0;r<o.length;r++){var a=o[r],s=n,i.a.match(/\[[0-9]\]/)&&(s=Number(a.match(/\[[0-9]\]/)[0]).replace(/\[/\]/g,"")),a=a.split(/\[[0-9]\]/).join("");var c=(s||0===s)&&n[a]?n[a][s]:n[a];if(i&&!n[a]?n[a]=i:i&&c&&!1===c&&!n[a]=[]),i&&!1===c)return null;n=c;return n}function r(e,t,i,n,a){if(!void 0===n&&(n=20),void 0===o&&(o=0),o)n)return null;if(void 0===e){null==e)return null;if("function"==typeof e&&i)return null;if(e.constructor=Array){for(var s=
```

(https://cdns.gigya.com/js/socialize.js?apiKey=2_ms8RABTUb54IxnDMwsEJqFDUJX8YsGzomm_AYiCb006grdeK9-7CjgKd4nU8Hspk (for a particular user)).


```
(return i(e)>Date.now()),t.setMax=function(){for(var e=[],t=0;t<arguments.length;t++)e[t]=arguments[t];if(e&&e.length)return e.sort(function(e,t){return t()-i(e)}[0]),t.getTimeMillis=i,function(e,t,i){Object.defineProperty(t,"_esModule",{value:!0});var n,o=(4),r=i(23);try{n=Boolean(window.sessionStorage).catch(e){n=!1}function a(e,t){if(n)(var {t};try{i=o.deserialize(window.sessionStorage.getItem("gigyaCache")),null==t&&i[e]?delete i[e]:i[e]={response:t,time:(new Date).getTime()}}window.sessionStorage.setItem("gigyaCache",o.serialize(i)).catch(e){r.release("cache","cache_"+e)}}function s(e){a(e,null)},t.set=a,t.get=function e(t,i,a){if(!n)try{if(r.isActive("cache"+"t")){(var c>window.sessionStorage.getItem("gigyaCache"),l=o.deserialize(c)[t]);if(l){if(i&&l.time>(new Date).getTime())return void a.l(response);s(t,l=null){if(l)return r.hold("cache","cache_"+t,void a(null);}if(r.isActive("cache"+"t"))return void r.waitFor("cache_"+t,e,arguments).catch(e){a(null)}else function""=typeof a&&a>null)),t.remove=s(),,,,,,,,,,,,,,,function(e,t){Object.defineProperty(t,"_esModule",{value:!0}),t.fill=function(e,t,i){function""=typeof f&&f=t instanceof Array&&t.join("").var ns=/\$/|)?([a-z-].d)*?(([\^]*|\$)|([\^\]$))?)?)/g;n.lastIndex=0;for(var o,r,t,a,n.exec(r)||null;a={vars:'!'+a[a+=("$="+a[1]?(9):4)],c=a[3],l=a[4+1],null=l&&"(\\")'"},.""=c.substring(0,1)&&c=c.substring(1),"DBG"=c.c.substring(0,3)&&c.c.substring(3);for var u,g,w,p,q,v,d=n.lastIndexOf,g=e(u,i,n.lastIndexOf=d)var p="" ,f=0;if(null!=i[c.split("." )][0])try(p=new Function(o+"p"+",return eval('o."+p+')')(i,g))catch(e){j=p="$"+s()+""}""+g,f=l;r.s.replace(a[0],"").r.substr(o.a.index)+p.r.substr(a.index+a[0].length,n.lastIndexOf.a.index+f,a.n.exec(r))return r},function(e,t,i){Object.defineProperty(t," _esModule",{value:!0});var n=!1,o=(5),o(5)=t._aliases=[];var r=function(e,i,n,o,r,s){if(this.ID=e,this.displayName=this.width,this.height=0,this.explicitlyOnA=this.aliases=s,this.aDefaultCapabilities=r.split(""),this.name=i.t.toLowerCase().split(". ").join("").split("!").join("").split("(" ).join("").split("+").join("plus")).s(t). aliases [t. aliases =[] ;for(var
```


(https://cdns.gigya.com/js/socialize.js?apiKey=2_ms8RABTUb54IxnDMwsEJqFDUJX8YsGzo
mm_AYiCb006grdeK9-7CjgKd4nU8Hspk (for a particular user)).


107. On information and belief, the Accused Instrumentality performs the step of executing, via the at least one server computer (*e.g.*, Cars.com server), the received template program that is unique to the user (*e.g.*, instructions, code, and data that is executed to create a customized user webpage) to generate the user's customized web page, the user's customized web page including real-time information (*e.g.*, current car listings, saved cars/searches, advertisements) selected for the user's customized web page in response to the subsequent request (*e.g.*, user login, search initiation, etc.) and based on the customization information unique to the user (*e.g.*, user location, saved cars/searches, interest/habits).


The screenshot displays the Cars.com search interface. On the left, search filters include a radius of 30 miles and a highlighted zip code of 60007. The 'Show cars available for home delivery' checkbox is checked. Under 'New/Used', 'All' is selected. The 'Year' filter shows a range from 1979 to 2020. Under 'Make', 'BMW' is selected. The main content area features a 'FEATURED' section for Motor Werks - Barrington Auto Mall, showing three car listings: 2020 BMW X3 M Competition (\$84,395), 2020 BMW M2 Competition (\$64,590), and 2019 BMW X7 xDrive40i (\$81,995). Below this is a 'SPECIAL OFFERS' section for Bill Jacobs BMW, featuring a 2019 BMW 530i xDrive for \$64,595 (MSRP \$64,595). The car's details include 'Ext. Color: Blue', 'Int. Color: Black', 'Transmission: Automatic', and 'Drivetrain: AWD'. The dealer's contact information is (855) 662-3008, and the distance is listed as 19 mi. from 60007, which is highlighted. A 'Check Availability' button is present at the bottom of the car listing.


(https://www.cars.com/for-sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&zc=60007 (for a particular user)).


 Location
60007

 Make


 Certification

 Dealer Rating



 Dealer Name

 Service Centers


Jennings Chevy / VW
 ★★★★★ 118 reviews
 241 Waukegan Rd , Glenview, IL 60025 10 miles away
"Our Reputation Rides with You"

 Schedule an Appointment



Call 888-238-0819

Marino Chrysler Jeep Dodge RAM
 ★★★★★ 95 reviews
 5133 W Irving Park Road , Chicago, IL 60641 12 miles away
"Family owned and operated!"

 Schedule an Appointment

Call 773-355-4381

(https://www.cars.com/dealers/service/60007/?rd=30&dealerType=27980&sortBy=CERTIFIED_REPAIR&order=DSC&perPage=20 (for a particular user)).

108. For example, a user's Cars.com page will also be customized to show current cars deals near the location linked to a user's account.

First User

Search within
30 miles 60007

☒ Show cars available for home delivery ?


New/Used
☒ All ☐ New ☐ Used
☐ Certified Pre-Owned


Year
 Min: 1979 to Max: 2020


Make
☒ BMW
☐ Acura


Get the latest listings by email Sign Up

FEATURED



Motor Werks - Barrington Auto Mall
 ★★★★★ (4.9) 3129 reviews
 (847) 829-0027
[Dealer Website](#)


 2020 BMW X3 M Competit...
 \$84,395


 2020 BMW M2 Competition
 \$64,590


 2019 BMW X7 xDrive40i
 \$81,995

SPECIAL OFFERS



Bill Jacobs BMW (630) 615-3125 [billjacobsbmw.com](#)

NEW
\$64,595 | MSRP \$64,595
2019 BMW 530i xDrive
 Ext. Color: Blue Transmission: Automatic
 Int. Color: Black Drivetrain: AWD

Bill Jacobs BMW (855) 662-3008
 ★★★★★ 4.9 (623 reviews) 19 mi. from 60007

Check Availability

79

(https://www.cars.com/sale/searchresults.action/?dealerType=all&mkId=20005&page=1&perPage=20&rd=30&searchSource=GN_REFINEMENT&sort=relevance&zc=60007 (for a particular user)).

Second User:

Filter Results | New Search | 122 matches near you | Save Search | Sort by: Relevance: Best Match

Location: Search within 20 miles | 10011

☒ Show cars available for home delivery

New/Used: ☒ All ☐ New ☐ Used ☐ Certified Pre-Owned

Year: Min Max

Get the latest listings by email: b5879966@urhen.com | Sign Up

2019 Mitsubishi Eclipse Cross SE
 Ext. Color: White | Transmission: CVT
 Int. Color: Black | Drivetrain: 4x4/4-wheel drive
 Northstar Mitsubishi (877) 851-8445
 ★★★★★ 4.3 (297 reviews) | 4 mi. from 10011
 Check Availability

(https://www.cars.com/sale/searchresults.action/?dealerType=all&mdId=36362434&mkId=20030&page=1&perPage=20&rd=20&searchSource=GN_REFINEMENT&sort=relevance&zc=10011 (for a particular user)).


109. For example, a user can also customize their Cars.com page by selecting their saved cars/searches, so that saved cars/searches can be displayed.

First User:

My Saved Cars

Keep track of what catches your eye all in one place

Date Saved: Most Recent



25 photos


Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross

\$27,439 2,279 mi

[Free CARFAX 1-Owner Report](#)



39 photos 1 Video


Saved July 31, 2019

USED

2018 Mitsubishi Eclipse Cross

\$20,224 4,822 mi

[Free CARFAX 1-Owner Report](#)



49 photos 1 Video

Saved July 31, 2019

USED

2019 Mitsubishi Eclipse Cross LE

\$19,595 10,791 mi


[Free CARFAX Report](#)

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

Second User:

My Saved Cars

Keep track of what catches your eye all in one place




32 photos 1 Video

Saved July 31, 2019

NEW

2019 RAM 2500 Big Horn

\$59,390



18 photos 1 Video

Saved July 31, 2019

NEW

2018 RAM 2500 Big Horn

\$50,581

(<https://www.cars.com/profile/saved-cars/> (for a particular user)).

110. On information and belief, the Accused Instrumentality performs the step of serving, via the at least one server computer (*e.g.*, Cars.com server), the user's customized web page (*e.g.*, webpage customized for a user with local car listings, saved cars/searches, and customized advertisements). (*E.g.*, screenshots in paragraph 109).

111. On information and belief, the Accused Instrumentality performs the step of providing a customized page to the user (*e.g.*, a user's Cars.com page with integrated advertisements) wherein the user template comprises advertisement selection information for use in selecting one or more advertisements for inclusion in the user's customized web page in addition to real-time information selected for the user's web page (*e.g.*, the code for the webpage will include code that allows for the insertion of target advertisements into a user's customized web page which contains real time information such as current car listings and saved cars/searches).

First User:

The screenshot displays a Cars.com page for a user in the 60007 zip code. The page title is "942 Auto Shops in Elk Grove Village, IL". A "RepairPal Certified" badge is visible in the top right. A sidebar on the left lists filters: Location (60007), Make, Certification, Dealer Rating, Dealer Name, and Service Centers. The main content area shows two car listings:

- Jennings Chevy / VW**: 118 reviews, 241 Waukegan Rd, Glenview, IL 60025, 10 miles away. Includes a "Schedule an Appointment" button and the phone number 888-238-0819. The listing features logos for Chevrolet, VW, and RepairPal.
- Marino Chrysler Jeep Dodge RAM**: 94 reviews, 5133 W Irving Park Road, Chicago, IL 60641, 12 miles away. Includes a "Schedule an Appointment" button and the phone number 773-355-4381. The listing features logos for Chrysler, Jeep, Dodge, RAM, and RepairPal.

On the right side of the page, there is a yellow advertisement for Liberty Mutual Insurance. The ad text reads: "Liberty Mutual INSURANCE. Our customized coverage could save you \$782. Get your quote".

(<https://www.cars.com/dealers/service/60007/> (for a particular user)).

Second User:

Service & Repair / Find a Service Center

1332 Auto Shops in New York, NY

RepairPal Certified

Looking for a dealership?

Location
10011

Make

Certification

Dealer Rating

Dealer Name

Service Centers

Three County Volkswagen
★★★★★ 541 reviews
701 Riverside Ave , Lyndhurst, NJ 07071 9 miles away
"Hablamos espanol,Falamos Portugues,Mowimy po polsku!"
Schedule an Appointment Call 201-559-7456

Fordham Toyota
★★★★★ 79 reviews
236 West Fordham Road , Bronx, NY 10468 10 miles away
"The Smart Way to Buy!!.....110% Price Protection Guaranteed!!"
Schedule an Appointment Call 888-618-2506

24/7 Mobile Truck Repair Svc
Truck, Trailer, Intermodal
Experienced 24/7 Mobile Truck & Trailer Repair - Fast Response, Great Results

(<https://www.cars.com/dealers/service/10011/> (for a particular user)).

112. Plaintiff has been damaged as a result of Defendant's infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant's infringement of the '342 patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

113. On information and belief, Defendant has had at least constructive notice of the '342 patent by operation of law, and there are no marking requirements that have not been complied with.

VIII. JURY DEMAND

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

IX. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court find in its favor and against Defendant, and that the Court grant Plaintiff the following relief:

- a. Judgment that one or more claims of United States Patent No. 8,352,854 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- b. Judgment that one or more claims of United States Patent No. 5,983,227 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- c. Judgment that one or more claims of United States Patent No. 7,171,414 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- d. Judgment that one or more claims of United States Patent No. 7,565,359 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- e. Judgment that one or more claims of United States Patent No. 9,626,342 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- f. Judgment that Defendant account for and pay to Plaintiff all damages to and costs incurred by Plaintiff because of Defendant's infringing activities and other conduct complained of herein, and an accounting of all infringements and damages not presented at trial;
- g. That Plaintiff be granted pre-judgment and post-judgment interest on the damages caused by Defendant's infringing activities and other conduct complained of herein; and
- h. That Plaintiff be granted such other and further relief as the Court may deem just and proper under the circumstances.

August 29, 2019

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